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# Concordia Theological Monthly



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# Concordia Theological Monthly

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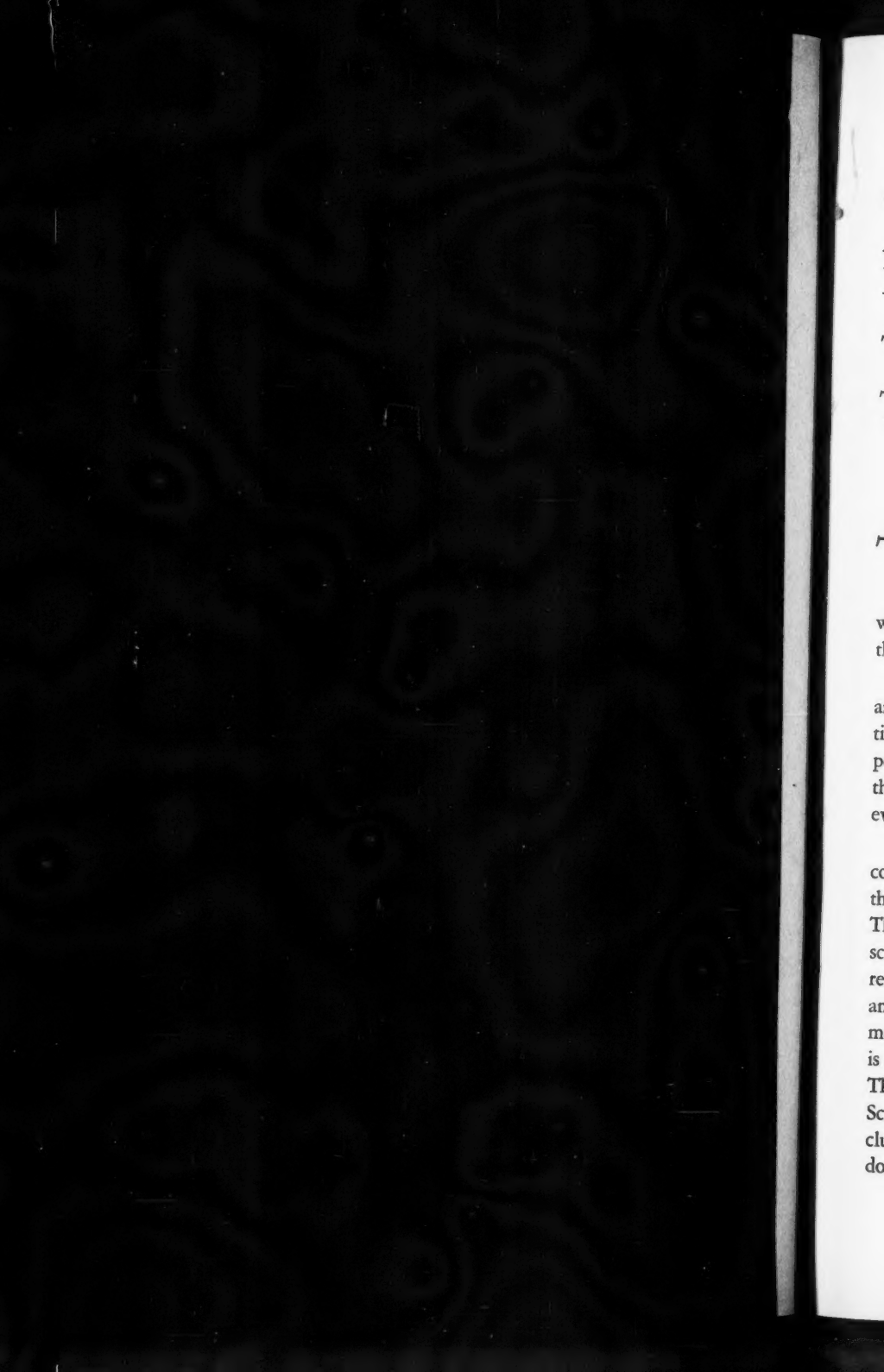
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# Concordia Theological Monthly

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## The Doctrine of Marriage in the Theologians of Lutheran Orthodoxy

By ARTHUR CARL PIEPKORN

THE purpose of this article is to survey the teaching of the orthodox Lutheran theologians on marriage from the end of the sixteenth into the first third of the eighteenth century, with particular reference to the influence of these theologians on the traditional doctrine of The Lutheran Church — Missouri Synod.

In general, the orthodox theologians systematize, expand, apply, and fortify with additional Scriptural support the doctrinal tradition on marriage which they inherited, particularly where a sharp polemic issue divided the Lutherans from the Roman Catholics, the Calvinists, or the sectarians. With the passage of time, however, some differences of opinion and interpretation appear.

We should expect this. During the century and a half under consideration conditions changed greatly in Lutheran Europe. The theologians were not theorizing in a political and social vacuum. Their discussions were thoroughly existential. They were consciously applying not only God's Word, but the principles of "right reason," of natural law, of imperial legislation, of provincial statutes, and of local customs to the immediate and current problems of marriage and family life.<sup>1</sup> They wrote in the awareness that "there is a mighty difference between God's Law and local legislation."<sup>2</sup> They appealed in support of their opinions not only to the Sacred Scriptures, but to "all human reason,"<sup>3</sup> to other theologians (including non-Lutheran theologians), to the illustrious fathers and doctors of the Church, to the authorities of classic antiquity, to the

great commentators on Roman, Imperial, and canon law, and to the ever-increasing number of distinguished Evangelical juriconsults. In this situation it is not always easy, or even possible, to determine how much the Sacred Scriptures and how much the more environmental factors enter into a given decision or opinion.

As circumstances require, and not always consistently, they cite the traditional legal maxims and vulgar axioms. "Consent, not intercourse, makes a marriage," which they are careful to define as a *jurist's*, not primarily a theological, maxim,<sup>4</sup> is one. "Decisions should be based, not on examples, but on rules"<sup>5</sup> is another. "If after betrothal a condition supervenes which, if it had existed at the time of betrothal, the bride would never have consented to marriage, then the judge ought to be more disposed to break the betrothal,"<sup>6</sup> is a third. "Moses is not our government in Germany, but the Jews' in the land of Canaan,"<sup>7</sup> and, "In contracting marriage one must consider not only what is licit, but what is decent and seemly,"<sup>8</sup> are others. We could cite more. Yet the theologians rarely rest their proof on such pat assertions.

The opinions and decisions which the theological faculties delivered in concrete cases submitted to them are sometimes a more accurate mirror of the opinions of the theologians of the period than their systematic, abstract, often philosophical presentations of marriage in their formal handbooks of dogmatics, even though the opinions tended to draw much of their documentation from the dogmatics. For the most part these collections of opinions and decisions are frankly partisan and tendential. They exist to furnish orthodox consistories and faculties with precedents.<sup>9</sup>

Two late orthodox Lutheran dogmaticians exerted a strong direct influence upon The Lutheran Church — Missouri Synod during its formative period, inasmuch as their compendia were for many years the textbooks in dogmatics at Concordia Theological Seminary in St. Louis. The first is Christian Loeber (1683—1747), whose dogmatics the Venerable Carl Ferdinand William Walther had reprinted without change from the original edition<sup>10</sup> for use in this country.<sup>11</sup> Loeber devotes a little over two pages (590 to 592) in this work to the discussion of marriage and the family. The second was John William Baier (1647—1695), whose *Compend of Positive Theology* Walther completely re-edited<sup>12</sup> and

amplified — somewhat selectively — by the addition of extensive illustrative material from both later and earlier authors.

Two basic principles characterize the orthodox theologians' approach to the problems of marriage.

The first is *that marriage is always to be discussed as a divinely instituted order in the Church*.<sup>13</sup> The dogmatists are careful students of the Scriptures. They are determined to apply the principles which their exegetical studies have furnished to the problems of marriage. But there are evidences of a thoroughly human uncertainty about the correctness with which they have resolved the conflicts that arise in specific issues and in specific cases.

The second principle is a corollary of the first: *Theologians must always exert their influence on the side of matrimony, never against it*. This resulted in a tendency for the opinions of theological faculties to be more severe and less considerate of human values than the opinions and decisions of the law faculties of the same universities, since the jurists did not feel themselves quite so securely bound to this principle.<sup>14</sup>

Because the orthodox theologians are so much a product of *their* environment, and because *we* follow different legal principles, lack a canon law on marriage, and have a different sociological background, it is not always possible for us to apply every conclusion of theirs to the Church of the Augsburg Confession on this continent in 1953.

#### THE FORBIDDEN DEGREES

The forbidden degrees of relationship in betrothal and marriage set up in Leviticus 18 and 20 are obligatory on all people at all times.<sup>15</sup> The forbidden degrees of relationship apply not only to persons, but also to grades.<sup>16</sup>

The theologians summarize the provisions of these chapters in three rules:<sup>17</sup>

1. In the direct line of ascent and descent, God forbids marriages in all grades;
2. In the collateral line, God forbids marriages in the first grade of the unequal line and in the second grade of the unequal line;
3. Prohibitions that apply in consanguinity apply also in affinity.

Affinity is established not only by marriage, but also by betrothal

(Gen. 19:8, 14)<sup>18</sup> and illicit intercourse.<sup>19</sup> As a result the theologians seriously argue the following case: If after marriage a man has intercourse with his wife's mother or sister or other relative whom God's law forbids him to touch, must he thereafter flee the embrace of his own wife as incestuous? Some said No; others, on the basis of Lev. 20:14, said Yes.<sup>20</sup> Affinity affects only the person who marries into a relationship, not his relatives; two brothers can marry two sisters, or a father and a son can marry a mother and her daughter.<sup>21</sup> Deut. 27:22 proves that half brothers and half sisters may not marry.<sup>22</sup>

A man cannot marry his deceased wife's sister (Lev. 18:16-18; 20:21). So the orthodox theologians<sup>23</sup> rule consistently, although not without some vigorous dissent from interested princes, jurists, and more liberal theologians.<sup>24</sup>

Similarly, the orthodox theologians held that a man cannot marry his deceased wife's niece<sup>25</sup> or his deceased nephew's widow.<sup>26</sup> On marriage with a deceased brother's betrothed there was a difference of opinion.<sup>27</sup>

Some orthodox theologians held that all marriages within the forbidden grades were to be dissolved. Others conceded that where the Mosaic legislation attaches the death penalty, marriages contracted within the forbidden degrees of relationship are incestuous and nullities, but asserted that where the Mosaic legislation merely denounced "childlessness" as a penalty upon such unions, marriages already contracted might be tolerated.<sup>28</sup> Such toleration was not a dispensation; all agreed that marriages within the forbidden degrees admitted no dispensation.

Affinity arising from legal relationships (adoption, guardianship, etc.) and spiritual affinity (sponsor-godchild) are not diriment impediments.<sup>29</sup>

God's Law does not forbid marriages in the second and third grade of consanguinity in the equal line. There is no evidence that they have baleful consequences either eugenically or from the standpoint of domestic felicity.<sup>30</sup> Technically they are permissible and dispensable. But the orthodox theologians and consistories almost unanimously regard such marriages as undesirable, at least in the second grade. Since this grade is next to one for-

bidden by God, Christians should abstain from such marriages (1 Corinthians 9).<sup>31</sup>

A masoretic tendency to build a fence about the Law likewise reappears in the orthodox opinion on the propriety of marriage in the second (to a lesser degree, in the third) kind (*genus*) of affinity.<sup>32</sup> The earlier theologians concede such marriages without reluctance.<sup>33</sup> But rigor soon replaces this liberality.<sup>34</sup>

#### PARENTAL CONSENT

The consent of parents is *ordinarily*<sup>35</sup> essential to a valid betrothal or marriage (Gen. 21:21; 24:3, 4; 28:1; 29:19; 34:4, 16; 38:6; Ex. 20:12; 21:9, 10; 22:16, 17, 29; 34:16; Num. 30:4-6; Deut. 5:16; 7:3; 22:29; Judg. 1:12, 13; 11:39; 12:9; 14:2, 3; 21:1; 2 Sam. 13:13; Jer. 29:6; Tobit 6:13 Vulgate; 7:15; Ecclus. 7:27; Matt. 15:4; 1 Cor. 7:36, 38; Eph. 6:2; Col. 3:20).<sup>36</sup> It is not merely a matter of *propriety*, but of ordinary *necessity* by divine law.<sup>37</sup>

Without parental consent, betrothals are neither binding nor valid,<sup>38</sup> and marriages are illegitimate,<sup>39</sup> inefficacious, and invalid.<sup>40</sup> The consent even of an impious, unrighteous, cruel, drunken, spendthrift father is necessary (Gen. 29:19; 1 Peter 2:18).<sup>41</sup>

When both parents are alive, the consent of the father ordinarily cancels out the dissent of the mother,<sup>42</sup> but in extraordinary cases the will of the mother supersedes the will of the father, "if the mother is an Abigail and the father a Nabal."<sup>43</sup> The mother's consent is not as necessary as the father's, but it is required when the father is not available.<sup>44</sup>

The obligation to obtain parental consent continues throughout the lifetime of the parent(s).<sup>45</sup>

Where both parents are dead, the consent of the grandparents, if alive, replaces that of the parents.<sup>46</sup> Some held that, in the absence of a positive law to the contrary,<sup>47</sup> the consent of tutors, guardians, and collateral relatives is not absolutely necessary, but should be secured out of consideration for them and for public opinion.<sup>48</sup> Others used the Fourth Commandment to make the consent of those who succeed to the parental office (tutors, guardians, next-of-kin, relatives) essential when the parents were dead.<sup>49</sup>

Parents may give their consent expressly or tacitly (Num. 30:

4, 5).<sup>50</sup> Parental consent may be general (at least where children have reached their majority); it should be at least special (Gen. 24:3; 28:1) or, better still, individual.<sup>51</sup> Once parents have given it, they cannot withdraw it without grave cause.<sup>52</sup>

Parental consent is not *absolutely* necessary. Other agencies, such as the consistory<sup>53</sup> or the local political authorities,<sup>54</sup> can supply it.

Parents are not to abuse their authority, or deny consent without good cause. They can be required to give reasons for withholding consent (but a clandestine betrothal is in itself reason enough),<sup>55</sup> and they cannot permanently prevent their children from marrying (Ex. 34:16; Jer. 29:6; 1 Cor. 7:2, 36).<sup>56</sup> Likewise, parents cannot compel their children to marry against the latter's will (Gen. 24:58; Eph. 6:4; Col. 3:21).<sup>57</sup> On the other hand, parents can break clandestine betrothals, even when oath bound, especially if they are contrary to propriety and public morals,<sup>58</sup> as long as the matter is *res integra*. If intercourse has followed, some hold that parents must tolerate the marriage,<sup>59</sup> but others assert the parental right to invalidate the betrothal even in such a case (Ex. 22:17).<sup>60</sup>

#### DISPARITY OF RELIGION AND CULT

Disparity of religion and cult is undesirable, dangerous (Deut. 7:3; 1 Kings 11:1; 1 Cor. 7:39; 2 Cor. 6:14; Titus 3:10; 2 John 10), and, in a sense, illicit. It is an impediment to the contracting of a betrothal or marriage, but it is not a diriment impediment to a betrothal or marriage already contracted or consummated (1 Cor. 7:13, 16; 1 Peter 3:1).<sup>61</sup>

Identity of religion is essential to the safety of a marriage.<sup>62</sup> In the Holy Roman Empire marriages among the religions tolerated by the Peace of Westphalia could not be prohibited, but they are to be discouraged.<sup>63</sup>

In mixed marriages, when they cannot be avoided, the interests of orthodoxy must be fully safeguarded. A Roman Catholic or Calvinist spouse has to promise and swear that "he will not only not solicit the adherent of the purer [i.e., the Lutheran] religion to embrace his own or to take upon himself privately to practice (the heretical) religion, but also permit the children given by God to such a marriage to be initiated into the Evangelical [i.e., Lutheran] religion and to be reared therein."<sup>64</sup>

## BETROTHAL

The existence of betrothal as an institution is justified by Scriptural example, by the dignity of marriage, the requirements of public decency, and the necessity of discovering whether possibly some defect in the marriage exists.<sup>65</sup>

Betrothal (*sponsalia*) is of two kinds. A betrothal *de praesenti* cannot be dissolved.<sup>66</sup> A betrothal *de futuro* is conditional and does not establish an efficacious obligation under the Sixth Commandment. Violation of a betrothal *de futuro* is a sin against the Eighth Commandment. Intercourse converts a betrothal *de futuro* into a betrothal *de praesenti*.<sup>67</sup>

The theologians carefully distinguish between mere *tractatus sponsaliti* (betrothal negotiations) — from which either party can withdraw without obligation, dishonor, or sin — and actual betrothals.<sup>68</sup>

A betrothal is a mutual and solemn promise of future nuptials; in God's sight the betrothed persons are indissolubly bound to one another in such a way that ordinarily a violation of the betrothal bond is adultery (Gen. 19:8, 14; 29:21; Deut. 20:7; 22:23, 24; Matt. 1:20; Luke 1:27).<sup>69</sup>

Much is made of the invocation of the Holy Trinity at formal betrothals.<sup>70</sup>

A valid betrothal requires the consent of the contracting parties. The consent should be expressed in words; but some theologians would be content if the contracting parties expressed consent by visible signs, such as the acceptance of a betrothal token, or the joining of the right hands, or even, if the father (but not tutors, brothers, or relatives) arranged the betrothal, by being present and consenting tacitly.<sup>71</sup>

At least two respectable witnesses ought to be present at betrothals, but clandestine betrothals (i.e., without witnesses) are valid, especially if confirmed with an oath and if the contracting parties are *sui iuris* and have not been publicly betrothed to someone else.<sup>72</sup>

Conditional betrothals are valid if the condition does not militate against the purpose of matrimony. A condition that is unjust, unreasonable, infamous, or contrary to public morality is regarded



as an invalid *condition*, and the consent is deemed to be unconditionally valid.<sup>73</sup>

The consistory is to pronounce the party who refuses without sufficient cause to keep a betrothal *de praesenti* a malicious deserter; is to forbid him to marry during the lifetime of the other party unless dispensed to marry outside the country; and is to pronounce the innocent party free of the obligation to marry the guilty party. It is to urge the innocent party not to marry; but if the innocent party cannot live chastely without marriage, marriage cannot be forbidden.<sup>74</sup>

Betrothals cannot be broken by mutual consent. Nor can either party to the betrothal break it unilaterally even for cause. But consistories or marriage courts can dissolve betrothals<sup>75</sup> if the betrothals are nullities because of lack of consent, if one of the parties commits adultery<sup>76</sup> or malicious desertion, or if certain other, variously defined, contingencies take place.<sup>77</sup>

Betrothals are nullities if diriment error of name or person or quality, manifest deceit, drunkenness, levity, insanity, fear,<sup>78</sup> or violence impeded or vitiated the just, free, full, and sincere consent of either party.<sup>79</sup>

The theologians generally hold error as to the virginity of the woman<sup>80</sup> to be a "substantial" error.<sup>81</sup> If a man believes the woman to whom he betroths himself is a virgin, and it becomes clear that she is not, the matrimonial court may urgently counsel the man to marry the woman, but it cannot compel him to do so.<sup>82</sup>

Various theologians list other grounds for which a consistory can dissolve a betrothal:<sup>83</sup>

1. Wittingly taking a medicine designed to produce sterility, since procreation of children is the chief end of marriage (Gen. 1:27, 28; Tobit 8:7-9; 1 Tim. 2:15).<sup>84</sup>

2. Voluntary and malicious homicide (Gen. 9:6; Num. 35:31), theft,<sup>85</sup> sorcery,<sup>86</sup> lese majesty, plots against the other's life, and similar atrocious crimes.

3. Demonstrated inability to procreate, or an accident making the other party unfit for marriage, such as supervenient impotence, frigidity, paralysis of the reproductive organs, etc.

4. Unremitting insanity or mental illness.<sup>87</sup>

5. Leprosy (Lev. 13:46), elephantiasis, epilepsy, paralysis,



syphilis (*gallica scabies, die Franzosen*), and other incurable, contagious, and repulsive diseases.<sup>88</sup>

6. Notable deformity (loss of nose, an eye, amputation of a limb, and so forth).

7. Change of status (as when one party was accounted *civiliter mortuus* and branded as infamous because of commission of a crime).

8. Extended, unexplained, uncondoned, and unwarranted absence (for three or five years, or even less).<sup>89</sup>

If a betrothal has been contracted contrary to law (say in Denmark, which forbade marriages between nobles and commoners), or if, for example, bad faith entered into the contract, the marriage court, where intercourse has not taken place, may apply the principle of leniency (*epikeia*) in dissolving the betrothal.<sup>90</sup>

A betrothed person cannot seek dissolution of a betrothal because he or she discovers a vicious character trait in the other party.<sup>91</sup>

The theologians emphasize that betrothal is not to be equated with marriage. The distinction is Scriptural. Betrothal and marriage differ in name, definition, point of time, proximate efficient cause, matter, form, purpose, subject, effect, and the possibility and mode of dissolution.<sup>92</sup> It is the difference between *μνηστεύω* and *γαμέω*, between a promise and its fulfillment, between a contract and the discharge of the obligation, between the affection of a betrothed couple and the affection of husband and wife, between a wife promised and a wife given, between marriage *quoad uōsclav per sponsalia ratum* and marriage *per usum coniugalem consummatum*.<sup>93</sup> Betrothal establishes an obligation to a future marriage;<sup>94</sup> it becomes marriage as much by nuptial consent as by intercourse.<sup>95</sup>

It is argued that the passages from the Sacred Scriptures conventionally used to prove the identity of betrothal and marriage (Gen. 29:21; Deut. 22:24; Matt. 1:20) are not absolutely decisive; we must consider the difference in social conditions. The Israelites called the affianced bride a wife not because there was no difference between matrimony begun and matrimony consummated, but because she was a wife hoped for, contracted for, promised and future. We cannot say simply that betrothal has all the force of marriage

and therefore can be dissolved only for causes for which marriage can be dissolved; "some kind of difference certainly seems to have intervened between the betrothals of the Israelite people and those contracted according to our customs."<sup>96</sup>

#### MARRIAGE

Marriage is an indissoluble association, or having-been-joined-together, of one man and one woman, in accordance with the divine institution, born of the mutual consent of both parties, for the purpose of procreating offspring and affording mutual help in life.<sup>97</sup>

The necessity for the consent of the contracting parties is resourcefully "proved" from (1) the original institution (Gen. 2:24; cp. Deut. 21:11); (2) obvious ratiocination (Boethius, *De consolatione philosophiae*, IV, 2); (3) the information derived from approved examples (Gen. 24:57; 28:2; Judg. 14:5; Tobit 7:8, 15); (4) the provisions of canon and civil law; (5) the disadvantages of the contrary; and (6) the terms of the antitype (Ps. 45:10, 11).<sup>98</sup>

Intercourse is not of the essence of marriage, and marriage can exist before and without intercourse.<sup>99</sup>

Various classes of persons are forbidden to marry:<sup>100</sup>

1. Persons under the age of puberty (fourteen in the case of males, twelve in the case of females).

2. Eunuchs, castrated and impotent persons.<sup>101</sup>

3. On the marriage of the aged past the age of procreation, a difference of opinion exists. Since they cannot procreate, some would classify them with the impotent;<sup>102</sup> other theologians insist that they can properly be allowed to marry, even though they cannot bear children, in view of passages like Gen. 2:18; 1 Kings 1:1-3; Eccles. 4:9, 10; and 1 Cor. 7:2, 9.<sup>103</sup>

4. Lepers (Lev. 13:46), epileptics, syphilitics, and others suffering from similar contagious, offensive, and incurable diseases.<sup>104</sup>

5. Morons (*fatui*) and those suffering from unremitting insanity.<sup>105</sup>

In the case of divorced persons, the right of the innocent party to remarry should be withheld for a time, say six months or a year.<sup>106</sup> The guilty party should be forbidden or at least counseled not to remarry;<sup>107</sup> in any case he should be allowed to remarry only with

the express permission of the political and church authorities and only after he has demonstrated his repentance over a considerable period of time. In such an instance he should not ordinarily be permitted to remarry before the innocent party does, since a reconciliation is always possible. He may not properly marry his quondam partner in adultery,<sup>108</sup> and he must transfer his domicile and place of business elsewhere.<sup>109</sup>

Marriage is not merely a civil contract,<sup>110</sup> notwithstanding blessed Martin Luther's dictum "Marriage is a purely civil and secular thing."<sup>111</sup>

While it is not *sacramentum* in the narrow sense of the term, marriage is *sacram* (Eph. 5:23; 1 Cor. 11:3, 4).<sup>112</sup>

The ecclesiastical ceremony (*benedictio sacerdotalis*)<sup>113</sup> is part of the *bene esse* but not of the *nesesse* of marriage.<sup>114</sup> The ecclesiastical ceremony is of divine origin (Gen. 1:28; 24:60; Ruth 4:11; Tobit 9:9-11; 1 Cor. 7:39).<sup>115</sup> In the Lutheran Church only marriages which had received such sacerdotal blessing were deemed ecclesiastically legitimate.<sup>116</sup>

The ceremony is ordinarily to take place in church, in the presence of the couple's relatives and friends.<sup>117</sup>

The proper minister of the priestly blessing is the pastor of the bride. No other pastor may solemnize the marriage without the ordinary's consent.<sup>118</sup>

Previous inquiry by the pastor is to cover possible violation of prohibited degrees, the licitness and validity of the betrothal, the religious affiliation of both parties, adequacy of parental consent, proof of death of the former spouse in the case of a widow(er), absence of another marriage obligation, and proof of singleness in the case of persons from outside the community.<sup>119</sup>

The reading of the banns on three separate Sundays at divine service in the parishes of both the bride and the groom is to precede the ceremony unless dispensed with.<sup>120</sup>

A Lutheran pastor's competence to solemnize marriages is not absolutely limited to his coreligionists.<sup>121</sup>

Solemnization of the marriages of Lutherans by heretical ministers of religion is ordinarily strongly disapproved.<sup>122</sup>

Sex relations in marriage are primarily for conception. Other accidental aspects, in as far as they are discussed, are not stressed.

But sex relations are not intrinsically sinful, and intercourse for the sake of procreation is not the only licit and decent kind (Prov. 5:18; 1 Cor. 7:2, 5, 7).<sup>123</sup>

Intercourse with a menstruating woman is wrong (Lev. 15:24; 18:19; 20:18; Ezek. 18:6; 22:10), although we cannot prove that it is a mortal sin in the New Testament.<sup>124</sup>

It is not wrong for a husband to have intercourse with his pregnant wife unless there is danger of a miscarriage.<sup>125</sup>

A couple may not vow perpetual continence by mutual consent.<sup>126</sup>

Impotence resulting from the malice of men, accident, or illness is to be borne as a visitation from God (Is. 56:4, 5; Eccles. 30:21; Matt. 10:29).<sup>127</sup>

Birth control as such is not extensively discussed, but certain birth control practices are condemned both expressly<sup>128</sup> and by implication.<sup>129</sup> The use of abortifacients<sup>130</sup> and of medicines designed to produce sterility is condemned.<sup>131</sup>

Although the procreation of children is frequently defined as the primary purpose of matrimony (Gen. 1:27, 28; Tobit 8:9; 1 Tim. 2:15),<sup>132</sup> other ends are sometimes put first, as when Quenstedt defines the ultimate and highest end of marriage as the glory of God.<sup>133</sup>

St. Louis, Mo.

#### FOOTNOTES

1. See, for instance, Tilemann Hesshusius, *Von Eheverloebnissen und verbotenen Gradibus* (Erfurt, 1584), folio A-iiij.
2. Conrad Dieterich, *Consilia und Bedencken . . . ueber gewisse und hochwichtige Casus und Faelle*, ed. Helwig Dieterich (Nuernberg, 1689), p. 95.
3. Hesshusius, *op. cit.*, folio D-iiij.
4. "Nuptias non concubitus sed consensus facit" (John Gerhard, "De coniugio," *Loci Theologici*, XXV, ed. Edward Preuss [Berlin, 1869], VII, par. 100, p. 69). Hesshusius (*op. cit.*, folio E-iv) quotes a similar maxim: "Consensus facit matrimonium, non nuptiae (consent, not the wedding ceremony, makes a marriage)."
5. "Non exemplis, sed regulis iudicandum est" (Louis Dunte, *Decisiones mille et sex casuum conscientiae* [3d ed.; Ratzeburg, 1664], pp. 826—27). Cp. Gal. 6:10.
6. "Si post sponsalia talis casus supervenit, qui si tempore sponsaliorum affuisset, sponsa in matrimonium nunquam consensisset, tunc index ad dirimenda sponsalia propensiorum esse debet" (George Dedekennus, *Thesaurus consiliorum et decisionum*, ed. John Ernest Gerhard [Jena, 1671] III, 819).
7. "Moses non nostrum est magistratus in Germania, sed Iudaeorum in terra Canaan" (*ibid.*, p. 87).

8. "*In contrabendis nuptiis non solum quod liceat sed quod deceat et honestum sit spectandum est.*" 1 Thess. 5:22 and 1 Cor. 10:27 are cited to bolster the principle (*Allerhand auserlesene rare und curiose Theologische Bedencken von den Heyrathen mit der Verstorbenen Frauen-Schwester / Schwester-Tochter / Brudern Wittwe / Brudern-Tochter u. d. m., Zusammen getragen von D. I. P. O. A. F.* [Frankfurt-Leipzig, 1733], p. 17).
9. Dedekennus-Gerhard expressly avoids contradictory (i.e., unorthodox) opinions on principle (*op. cit.*, III, 129) and carefully annotates decisions which actually or apparently diverge from the orthodox norm.
10. *Die Lehre der Wahrheit zur Gottseligkeit, das ist, Theologia positiva, deutsch* (Altenburg, 1711).
11. Christian Loeber, *Evangelisch-Lutherische Dogmatik* (St. Louis: Dette, 1872).
12. Carl Ferdinand William Walther, *Johannis Gulielmi Baieri Compendium Theologiae Positivae, adiectis notis amplioribus, quibus doctrina orthodoxa . . . explicatur atque ex Scriptura Sacra eique innixis rationibus theologicis confirmatur* (St. Louis: Concordia-Verlag, 1879).
13. Gerhard, *op. cit.*, VII, par. 1, p. 1.
14. A particularly striking example is provided by a betrothal case involving a girl under the age of 15, submitted to the faculties of Law and Theology at the University of Rostock in 1603 and reported in Dedekennus-Gerhard, *op. cit.*, III, 49, 50. We note in general a growing difference of opinion between the jurists and the theologians throughout this period. For example, Brunnemann (1681) reports a case in which a widower wanted to marry his deceased wife's niece, to whom he had publicly betrothed himself; the theological faculty opinion was absolutely negative, but the law faculty held that a dispensation to marry was possible, subject to a fine (*Allerhand . . . Bedencken*, pp. 194—215). We can account for this difference in part by the rivalry and emulation between the faculties of these two disciplines at the various universities, and in part by the fact that the law faculties' sense of the obligation to perpetuate the past diminished more rapidly.
15. Dedekennus-Gerhard, *op. cit.*, III, 220—98, 825—38; Gerhard, *op. cit.*, VII, pars. 258—324, pp. 154—90; Caspar Erasmus (Jesper Rasmussen) Brochmand, *Universae Theologiae Systema* (Ulm: 1638), pp. 1478—79, 1505—08; John Conrad Dannhauer, *Theologia Casualis* (Greifswald, 1706), pp. 271, 272; Solomon Deyling, *Institutiones Prudentiae Pastoralis* (Leipzig, 1734); Dieterich, *op. cit.*, pp. 141—223; David Hollaz, *Examen Theologicum Acroaticum* (Leipzig, 1741), pp. 1376—1380; Leonard Hutter, *Compendium Locorum Theologicorum*, ed. Daniel Janus (Leipzig, 1747), p. 626; John Andrew Quenstedt, *Theologia Didactico-Polemica* (Wittenberg, 1691), IV, 469—74. Hesshusius calls Leviticus 18 the "source and fountain of all legislation on marriage vows and matrimony" (*op. cit.*, folio A-iv). In a theological opinion rendered in 1681, Philip James Spener held that the prohibitions of Leviticus 18 belonged not to natural Moral Law, but to positive Moral Law (*Allerhand . . . Bedencken*, p. 68). Christian August Crusius, *Kurzer Begriff der Moralthologie* (Leipzig, 1772), II, 1624, relates Lev. 18:6-18 to the law of love for one's neighbor.
16. So also the famed jurist Benedict Carpzov, in his *Iurisprudentia Ecclesiastica*, II, Tit. VI, Def. XCII (cited in *Allerhand . . . Bedencken*, pp. 17, 18). Gerhard, *op. cit.*, VII, pars. 275—77, pp. 161—63 (who quotes Chemnitz, Brenz, Selnegger, Osiander, and Bidembach); Brochmand, *op. cit.*, p. 1479; Quenstedt, *op. cit.*, IV, 470, 471; Valentine Ernest Loescher, *Unschuldige*

- Nachrichten* (1724), p. 320ff., in Baier-Walther, *op. cit.*, III, 758, 759. Crusius limited the extension only to *equivalent* cases, where *equivalent* reasons apply (*op. cit.*, II, 1641—43).
17. Gerhard, *op. cit.*, VII, par. 275, p. 161; George Koenig, *Casus conscientiae* (Nuremberg, 1654), pp. 775—93.
  18. Heshsius cites explicit instances: A son may not marry his father's betrothed, who would have become his stepmother, or the mother of the girl with whom he had publicly betrothed himself, even though he had neither married nor had intercourse with the daughter; a girl cannot marry either the father of her betrothed, who would have become her father-in-law, or her mother's betrothed, who would have become her stepfather (*op. cit.*, folios D-j to D-ij). Brochmand, *op. cit.*, p. 1509; Gerhard, *op. cit.*, VII, par. 155, pp. 94, 95. Deyling held that a man's marriage to the sister of his late betrothed was dispensable (*op. cit.*, pp. 535, 536). He also differentiates "perfect" affinity (the result of intercourse) from "imperfect" affinity (the result of betrothal) (*ibid.*, pp. 531, 532).
  19. Dedekennus-Gerhard, *op. cit.*, III, 289, 290; Heshsius, *op. cit.*, folios E-iii/iv; Dieterich, *op. cit.*, p. 119; Gerhard, *op. cit.*, VII, pars. 282, 378 to 380, pp. 165, 221—23. Gerhard holds that a marriage contracted in ignorance of affinity arising from illicit intercourse is not to be dissolved. The Dresden Consistory ruled that a man could not marry a woman with whose niece he had had illicit intercourse (Dunte, *op. cit.*, pp. 836, 837).
  20. Brochmand, *op. cit.*, pp. 1522, 1523.
  21. Heshsius, *op. cit.*, folio F-j; John Musaeus, *De consanguinitate et affinitate commentatio*, ed. Immanuel Proeleus (Leipzig: no date), p. 42.
  22. Heshsius, *op. cit.*, folio B-iv; Brochmand, *op. cit.*, p. 1512.
  23. Dedekennus-Gerhard, *op. cit.*, pp. 243—53. *Allerhand . . . Bedencken* (pp. 17, 18) cites the ruling of Benedict Carpov, in his *Iurisprudencia Ecclesiastica*, *loc. cit.*, four rulings of the Supreme Consistory from 1607 to 1627 (pp. 18, 19), and quotes the jurist Theodore Reinking as declaring that such a marriage was forbidden to a prince of the empire in 1625 (p. 21). The Wittenberg Consistory divorced a widower who married his deceased wife's sister and allowed both parties to marry elsewhere (Dunte, *op. cit.*, p. 823). Balduin branded such marriages as incestuous and intolerable even after consummation (*Casus conscientiae*, p. 1217). The Leipzig Consistory (1647, 1650), *General-Superintendent* Walther of Zelle (1656), the Hamburg Ministerium (1651, 1657), and the theological faculty of the University of Jena of the period handed down opinions to the same effect (Dedekennus-Gerhard, *op. cit.*, III, 824—31). The Meissen Consistory prohibited a widower from marrying his deceased wife's half sister (Dunte, *op. cit.*, p. 832).
  24. Thus in 1630 the law faculty of the University of Tuebingen described intercourse with a deceased wife's unmarried sister in anticipation of future marriage as not really incest and declared that marriage between such persons was not forbidden by divine or natural law and was dispensable (*Allerhand . . . Bedencken*, pp. 151—54). In 1652 the law faculty of the University of Rinteln ruled that according to the Word of God an Evangelical prince might marry his deceased wife's sister and could dispense his subjects similarly; this began a controversy that became increasingly bitter as it continued and led to the Oettingen Colloquy in 1681. In 1706 the Rev. Dr. John Melchior Goetz, *Superintendent* at Halberstadt, obtained a dispensation from the King of Prussia to marry

- his deceased wife's sister; this touched off another controversy (*ibid.*, pp. 247—63). In 1681 Spener, in the course of a long correspondence, declared that a widower cannot with a good conscience marry his deceased wife's sister; however, he would regard such a marriage, once contracted, as *pro rato* (but not *pro recto*), would be unwilling to urge its dissolution, and would counsel the confessor of the couple to absolve them (*ibid.*, pp. 67—90). On May 12, 1706, the theological faculty of the University of Helmstedt held that marriage with a deceased wife's sister was not contrary to divine or natural law, that it is dispensable by the *Summus Episcopus* (i.e., the Prince), and that it may even be desirable in the light of 1 Tim. 5:8 (*ibid.*, pp. 223—26).
25. Deyling, *op. cit.*, pp. 534, 535. So also the Constitutions of Frederick II of Denmark and Norway (Brochmand, *op. cit.*, p. 1510). In 1667 John Mueller of Hamburg declared against such a marriage (Dedekennus-Gerhard, *op. cit.*, III, 840, 841). In 1674 the Leipzig law faculty ruled that marriage in the second degree of affinity of the unequal line admits no dispensation (*Allerhand . . . Bedencken*, pp. 169—72). Ten years earlier (1664) the theological faculty of the University of Jena, while taking a stricter view itself, conceded that a dispensation might be possible in the case of a marriage with a deceased wife's niece (Dedekennus-Gerhard, *op. cit.*, III, 831, 832). In 1691 Lyncker ruled that it is not contrary to divine law for a widower to marry his deceased wife's niece with a dispensation (*Allerhand . . . Bedencken*, pp. 47—60); in 1700 he ruled in the same way on a marriage with a maternal uncle's widow (*ibid.*, pp. 40—47). Crusius held that Lev. 18:14 did *not* forbid marriage with the deceased wife's niece (*op. cit.*, II, 1643). In 1657 the theological faculty of the University of Leipzig had held that marriage with a deceased wife's *stepniece* admitted no dispensation (Dedekennus-Gerhard, *op. cit.*, III, pp. 264, 265).
  26. On the basis of Lev. 18:14 and 20:20 (Dieterich, *op. cit.*, pp. 112—18).
  27. Some, like Brochmand in Denmark (*op. cit.*, p. 1509), said No absolutely. Others took the view of the Consistory of Electoral Saxony, which regarded it as dispensable but undesirable (Dunte, *op. cit.*, p. 832).
  28. Deyling, *op. cit.*, p. 538; Baier-Walther, *op. cit.*, III, 770—72. The Dresden Consistory (1585) ruled that marriage to a stepsister's daughter, once consummated, did not have to be dissolved; the jurisconsult Carpzov approved the ruling, but the theologians generally disagreed (Dedekennus-Gerhard, *op. cit.*, III, pp. 264, 265).
  29. Heshusius, *op. cit.*, folio C-iv; Gerhard, *op. cit.*, VII, pars. 364—77, pp. 213—21. Koenig, however, following a number of distinguished Lutheran jurists, held that the *imperial* law on this point forbade marriage between a godfather and a godchild (*op. cit.*, pp. 793—97).
  30. Dieterich, *op. cit.*, pp. 104—08.
  31. So the Wittenberg theological faculty (Dunte, *op. cit.*, p. 835); Heshusius, *op. cit.*, folio C-ij. Dannhauer held that such marriages are lawfully permitted only to princes (*op. cit.*, p. 273). Dieterich, in a theological opinion, discouraged a couple so related from seeking a dispensation, because (1) theologians hold that such dispensations should be moderate and rare; (2) the grade is next to a grade forbidden by God; (3) dispensations should be sought not rashly or lightly, but only for high, great, considerable, persuasive, equitable, and necessary causes; (4) dispensation should not become dissipation; (5) the law which binds all should not be violated for the convenience of one person; (6) granting such a dispensation without grave cause is a multiple mortal sin. He himself would



- not counsel granting such a dispensation, because (1) it runs counter to the salutary statutes we have observed for so many years; (2) this grade is next to one that God forbids; (3) the statute forbids marriage even in the third grade of the equal line; (4) others have vainly sought such a dispensation; (5) such a dispensation would bring our laws into contempt; (6) no high, great, etc., reasons exist. (*Op. cit.*, pp. 121—217.) With reference to the third degree local positive legislation varied (Hesshusius, *op. cit.*, folios C-ij/iv; Dieterich, *op. cit.*, p. 91; Dunte, *op. cit.*, pp. 833, 834, 837; Dedekennus-Gerhard, *op. cit.*, III, 265—80, 838—41).
32. *Ibid.*, pp. 281—89, 842—49. Cases in point are a widower's marriage with his deceased brother-in-law's widow (second kind) or with the widowed second wife of his deceased first wife's brother-in-law (third kind).—Opinions about the value of such "fences" varied. Hesshusius writes: "It is praiseworthy and right that secular Christian governments should forbid marriages in the second grade in the equal line and the third grade in the unequal line for the sake of decency and honor, so that Christians may contract matrimony the more cautiously and hold God's earnest commandment in greater esteem. The government has its authority from God, and Christians are obliged for conscience' sake to obey such laws and precepts as are not contrary to God's Word and natural law. Christian government has the authority to dispense in the case of grades of positive law for grave cause." (*Op. cit.*, folio C-iv; similarly Baier-Walther, *op. cit.*, III, 764.) Spener says of the "fence" that "concerning [it] one might well inquire of the well-intended diligence [which built the fence] whether it had not occasioned more damage than advantage" (*Allerhand . . . Bedencken*, p. 130).
  33. Hesshusius, *op. cit.*, folios F-ij/iv.
  34. Mentzer argues that a widower cannot marry the widow of his deceased wife's deceased brother, since he could not marry the daughter (Dunte, *op. cit.*, p. 836). Gerhard counsels against the marriage of a widower's son with his second wife's daughter by a previous marriage on the basis of Lev. 18:11 (Dunte, *op. cit.*, p. 835). The Meissen Consistory declares that public decency and the possibility of scandal militate against the marriage of two brothers with a mother and a daughter (Dunte, *op. cit.*, p. 834). Some Church Orders (*Electoral Saxony 1555*, p. 122, for instance) expressly forbade the marriage of a stepfather to a stepson's widow; so also Mentzer, Gerhard, and Brochmand, on the principle *in contrabendis nuptiis non solum quod liceat sed quod deceat et honestum sit spectandum est*, but Benedict Carpzov, John Adam Osiander, and Spener (1691) held such marriages to be dispensable (*Allerhand . . . Bedencken*, pp. 128 to 132). Dieterich, in an opinion (1632) on the marriage of a widow with her deceased sister-in-law's widower, cites the dissent of Mentzer and Gerhard and concludes that such a marriage is to be discouraged as long as the matter is still open; but if the couple is betrothed and they cannot or will not be persuaded to desist, they are to be married with full solemnity (*op. cit.*, pp. 104—12). The theological faculty of the University of Rostock held that a widower could not marry his deceased wife's stepmother on the basis of Lev. 20:14 (Dunte, *op. cit.*, p. 835). Spener, however, held (1678) that marriage to a brother's sister-in-law is not incestuous and that, once betrothed, the man must marry the woman (*Allerhand . . . Bedencken*, pp. 144—50); he also approved (1704) a marriage between a widower and his deceased wife's stepdaughter as dispensable (*ibid.*, pp. 154, 155).
  35. Thus Gerhard excepts parents who are insane, captive in foreign lands,



- or absent for long periods, or who otherwise represent extraordinary cases (*op. cit.*, par. 58, p. 44). Quenstedt, *op. cit.*, IV, 454; Hollaz, *op. cit.*, p. 1368.
36. Dedekennus-Gerhard, *op. cit.*, III, 99—134, 804, 805; Brochmand, *op. cit.*, p. 1469; Baier-Walther, III, 747; Koenig, *op. cit.*, pp. 763—72; Dannhauer, *op. cit.*, p. 284; Deyling, *op. cit.*, p. 514; Matthias Hafenreffer, *Loci Theologici*, 2d ed. (Tübingen, 1601), p. 441. The Council of Trent, in the decree *De reformatione matrimonii* (Sess. 24), anathematizes "those who falsely declare that marriages contracted without the consent of their parents are invalid and that the parents can make them either valid or invalid." The *Gloss* on the chapter *Mulier* (32, question 2) says: "As far as oaths and marriage are concerned, parental authority ceases when a child reaches the age of adulthood."
  37. Gerhard's argument in favor of this proposition (*op. cit.*, VII, pars. 57—85, pp. 43—62) is ingenious, at least. Orthodox theologians, following blessed Martin Luther, often use the term "clandestine betrothal" to mean merely a betrothal without parental consent (Deyling, *op. cit.*, p. 514). If the parents are dead, betrothals are technically clandestine unless contracted in the presence of two honorable witnesses (*ibid.*, pp. 516, 517). In rejecting the Roman Catholic view, Quenstedt notes that, according to Peter Suavis' *Historia Concilii Tridentini*, VIII, 835, 136 bishops at the Council of Trent originally spoke in favor of requiring parental consent, 57 took a contrary view, and ten suspended judgment (*op. cit.*, IV, 458).
  38. Heshusius, *op. cit.*, folio F-iv.
  39. Brochmand, *op. cit.*, pp. 1476, 1491, 1492.
  40. Quenstedt, *op. cit.*, IV, 451, 452, 454—58.
  41. Gerhard, *op. cit.*, VII, par. 91, p. 65; Brochmand, *op. cit.*, pp. 1494, 1495.
  42. Gerhard, *op. cit.*, VII, par. 87, p. 64. Kuester, quoted in Baier-Walther, *op. cit.*, III, 748. The Meissen Consistory vacated a betrothal in which the mother but not the father had consented (Dedekennus-Gerhard, *op. cit.*, III, 119, 120).
  43. Dannhauer, *op. cit.*, p. 285; Brochmand, *op. cit.*, p. 1493.
  44. The Meissen Consistory held that a betrothal approved by the mother could not afterward be dissolved by the father and brothers (Dedekennus-Gerhard, *op. cit.*, III, 134). The Wittenberg Consistory gave the consent of the mother precedence over the dissent of guardians and relatives (*ibid.*). So also Gerhard, *op. cit.*, VII, par. 95, p. 67. The Leipzig Consistory vacated the betrothal that a young woman contracted without her widowed mother's consent (*ibid.*, p. 119).
  45. Deyling, *op. cit.*, p. 518; Kuester, quoted in Baier-Walther, *op. cit.*, III, 748. Children who are *sui iuris* under *civil* law through having reached majority must by *divine* law still secure their parents' consent (Gerhard, *op. cit.*, VII, par. 93, p. 66). The Wittenberg Consistory vacated the betrothal of a widow who had betrothed herself without her father's consent (Dedekennus-Gerhard, *op. cit.*, III, 119).
  46. Deyling, *op. cit.*, p. 514. So also Gerhard (*op. cit.*, par. 97, pp. 67, 68), who argues that if the parents and the grandfather are alive, the latter's consent may be more desirable than the former's. An interesting 17th-century decision of the Jena theological faculty argues: "When two persons voluntarily and unconditionally plight their marital troth to one another, such a betrothal remains a marriage before God, and their consciences are bound to one another. . . . Although in the Electoral Mar-

riage Constitutions and in the codes of other jurisdictions adhering to the Augsburg Confession it is contemplated that when the physical parents are dead, the consent of the grandmother and of other near relatives is required and that in the contrary case the contracted betrothal is invalid; nevertheless experience indicates that properly staffed consistories in comparable cases are wont not to dissolve out of hand an otherwise tolerable betrothal because of the lack of relatives' consent, but rather to regard the reasons for the dissent than the dissent itself." (Dedekennus-Gerhard, *op. cit.*, III, 807, 808.)

47. Like the decree of the Nuremberg senate, October 8, 1572 (Koenig, *op. cit.*, pp. 770—72).
48. The Wittenberg Consistory upheld a betrothal that an orphaned girl contracted without the knowledge of her foster parents, but with her foster sisters as witnesses (Dedekennus-Gerhard, *op. cit.*, III, 132). Gerhard holds that the consent of an orphan's brothers or other near relatives is desirable, but not as necessary as that of parents (*op. cit.*, VII, par. 96, p. 67).
49. Hesshusius, *op. cit.*, folio F-iv; Brochmand, *op. cit.*, p. 1495; Dannhauer, *op. cit.*, p. 285; Quenstedt, *op. cit.*, IV, 454. Gerhard says that the consent of a trustee (*curator*) is not necessary and that legal opinion on the necessity of a guardian's consent is divided (*op. cit.*, VII, par. 94, pp. 77, 78).
50. Deyling, *op. cit.*, p. 519. But children should seek the expressed consent of their parents (Gerhard, *op. cit.*, VII, par. 88, p. 64). The Wittenberg Consistory upheld a betrothal in which the mother had concurred tacitly (Dedekennus-Gerhard, *op. cit.*, III, 122).
51. Gerhard, *op. cit.*, VII, par. 98, p. 68.
52. Deyling, *loc. cit.*
53. *Ibid.*, p. 518.
54. Gerhard, *op. cit.*, VII, par. 90, p. 65. The theological faculty of the University of Wittenberg held that a nobleman who had neglected his daughter in childhood could not interfere with her betrothal to a young commoner (Dedekennus-Gerhard, *op. cit.*, III, 106; cp. p. 108, also p. 804). Maurice's Saxony Church Order had held that betrothals without parental consent were generally illegal, but if the man is at least twenty and the woman at least eighteen, and if they have repeatedly and respectfully, directly and through intermediaries, sought parental consent in vain, although the parents have no grave reason for objecting, the couple is to be authorized to marry (Dunte, *op. cit.*, p. 811; cp. Brochmand, *op. cit.*, p. 1476).
55. Gerhard, *op. cit.*, VII, par. 89, pp. 64, 65.
56. Brochmand, *op. cit.*, p. 1494.
57. *Ibid.*, pp. 1476, 1495; Hesshusius, *op. cit.*, folio F-iv. Brochmand himself points out, however, that a betrothal demonstrably exacted under fear and parental threatening is illegitimate and dissoluble (*op. cit.*, pp. 1496, 1497).
58. *Ibid.*, pp. 1495, 1496.
59. So the Wittenberg theological faculty (Dedekennus-Gerhard, *op. cit.*, III, 99; Dunte, *op. cit.*, pp. 848, 849). The Rostock theological faculty ruled that if a girl marries without her father's consent, she is to seek his forgiveness and do public penance, and he is to declare to the local authorities and to the local clergy that he *ratifies* the nuptials with his parental consent (*ibid.*, p. 849). Whether or not such postnuptial con-

- sent is retroactive is a moot question; Gerhard says it is not (*op. cit.*, VII, par. 92, pp. 65, 66), but Deyling says it is (*op. cit.*, p. 519).
60. Brochmand, *op. cit.*, p. 1493; Deyling, *op. cit.*, pp. 516, 517; Jena theological faculty, Dunte, *op. cit.*, pp. 818, 819. The same faculty held that clandestine betrothals, even when followed by intercourse, are still invalid and whoredom until publicly affirmed before honorable witnesses; thereafter the marriage is to take place at once, that the child may come to an honorable and reputable estate (*ibid.*, p. 823). In another opinion (1622) it held that a young man whom a designing girl had seduced, and who after intercourse was induced to promise marriage, was not bound so long as his father withheld consent (Dedekennus-Gerhard, *op. cit.*, III, 115—18).
  61. *Ibid.*, pp. 172—79; Dunte, *op. cit.*, pp. 826, 827; Koenig, *op. cit.*, pp. 757 to 763; Brochmand, *op. cit.*, pp. 1482, 1526.
  62. *Ibid.*, pp. 1473—76.
  63. The theological faculty of the University of Rostock held (1616) that it was the common sense of orthodox theologians, based on the Scriptures, that an orthodox Christian ought not marry a person of another religion, that it was not scandalous to present this doctrine from the pulpit, and that a preacher who would publicly preach a contrary doctrine was setting forth a novel opinion (Dedekennus-Gerhard, *op. cit.*, III, 173—75).
  64. Deyling, *op. cit.*, pp. 559, 560; cp. pp. 553, 554. In a case where a young woman was betrothed to a Roman Catholic with the stipulation that she become a Roman Catholic, the theological faculty of the University of Jena held (1597) that such a stipulation was improper and that she was not under any obligation to comply with it (Dedekennus-Gerhard, *op. cit.*, III, 179). Quenstedt discusses the issue of mixed marriages with particular reference to persons of princely estate (*op. cit.*, IV, 474—77).
  65. Gerhard, *op. cit.*, VII, par. 151, p. 92.
  66. Dedekennus-Gerhard, *op. cit.*, III, 58—65.
  67. Martin Chemnitz, *Loci Theologici*, revised ed. Polycarp Leyser (Wittenberg, 1615), III, 213—15; Gerhard, *op. cit.*, VII, pars. 124—41, pp. 81 to 88; Baier-Walther, *op. cit.*, III, 749.
  68. So, for instance, Deyling, *op. cit.*, p. 509.
  69. Mentzer in Dunte, *op. cit.*, p. 821; Brochmand, *op. cit.*, pp. 1468—69. Public betrothals cannot be revoked, in view of our blessed Lord's words, "What God hath joined together," etc. (Hesshusius, *op. cit.*, folio F-iv.) Brochmand (*op. cit.*, p. 1492) and Quenstedt (*op. cit.*, IV, 451), following the ancient Fathers, call betrothal an inchoate (*inchoatum, initiatum*) marriage.
  70. Of great interest is "the counsel and opinion on the question whether a man who has betrothed himself to a girl in the devil's name is obliged to fulfill such a promise" by John Mueller of Hamburg (1648). He emphasizes the greatness of the offense committed; recounts out of his own experience in Hamburg a horror tale of a demonic apparition at the wedding feast of a couple who similarly betrothed themselves with an invocation of Satan; and urges the couple to repent, confess their lapse to their father confessor at the first occasion, ask him for holy absolution, consolation, and the intercession of the congregation, and to plight their troth to each other in the name of the Holy Trinity. (Dedekennus-Gerhard, *op. cit.*, III, 802, 803.)
  71. For example, Gerhard, *op. cit.*, VII, par. 123, p. 81. But Kuester, follow-

- ing Leyser, insists on unambiguous words (quoted in Baier-Walther, *op. cit.*, III, 750). Both the Wittenberg and Jena theological faculties held that a young man's mere expression to a young woman of the hope that it might be God's will for him to marry her, or the mere giving of a ring by a young woman to a young man, does not constitute legitimate consent (Dedekennus-Gerhard, *op. cit.*, III, 83). The Wittenberg theological faculty also held that parents or foster parents cannot betroth a minor daughter without her consent (Dedekennus-Gerhard, *op. cit.*, III, 86, 87). An impoverished suitor's deliberate deceit in grossly misrepresenting his financial status and prospects, and his consequent inability to perform certain stipulations of the betrothal contract, was made a ground for vacating a betrothal *propter puri et liberi consensus defectum* by the Jena theological faculty in 1630 (*ibid.*, III, 823, 824, but *cp.* pp. 179, 180).
72. *Clandestinitas sola non vitiat matrimonium*. Gerhard, *op. cit.*, VII, pars. 143—49, pp. 88—92; Dedekennus-Gerhard, *op. cit.*, III, 140, 810 to 816. Witnesses are necessary only to *prove* the betrothal (Deyling, *op. cit.*, p. 512). But see note 37 above. — Betrothals can be contracted by a properly witnessed letter or by intermediaries (Deyling, *op. cit.*, p. 515), as long as the contracting parties know each other at least by reputation (Gerhard, *op. cit.*, VII, par. 150, p. 92).
  73. Dannhauer, *op. cit.*, p. 284.
  74. Theological faculties of the Universities of Jena, Rostock, and Wittenberg, in Dunte, *op. cit.*, pp. 827, 828.
  75. Dedekennus-Gerhard, *op. cit.*, III, 186—219, 818—24.
  76. Brochmand (*op. cit.*, pp. 1502, 1503) cites 1 Cor. 7:4. Deyling calls violation of the betrothal bond quasi adultery (*op. cit.*, p. 542). Incestuous relations with relatives of the other party are particularly reprehensible and create an affinity which invalidates the betrothal (Gerhard, *op. cit.*, VII, par. 166, p. 98). Adultery also includes betrothal with another person, "because betrothal is truly inchoate marriage, and a most efficacious obligation arises therefrom (Deut. 22:23; Matt. 1:20)" (Brochmand, *op. cit.*, p. 1498; Dedekennus-Gerhard, *op. cit.*, III, 159).
  77. Gerhard, *op. cit.*, VII, pars. 166, 167, pp. 98, 99; Deyling, *op. cit.*, pp. 541, 542; Brochmand, *op. cit.*, pp. 1470, 1471, 1502, 1503.
  78. Not filial reverence for father or mother, however (Consistory of Electoral Saxony, in Dunte, *op. cit.*, p. 824).
  79. Dedekennus-Gerhard, *op. cit.*, III, 144—59, 816; Dunte, *op. cit.*, p. 812, Baier-Walther, *op. cit.*, III, 749. In the case of drunkenness, caution and nice judgment is necessary (Brochmand, *op. cit.*, p. 1497; Koenig, *op. cit.*, pp. 772—75; Dannhauer, *op. cit.*, p. 281).
  80. Or, in general, of the man as well, according to Gerhard.
  81. Deyling, *op. cit.*, p. 512.
  82. Gerhard, *op. cit.*, VII, pars. 109—12, pp. 73—76; Dunte, *op. cit.*, pp. 850, 851; so also the Dresden Consistory (Dedekennus-Gerhard, *op. cit.*, III, 210) and the Constitutions of Frederick II of Denmark and Norway (Brochmand, *op. cit.*, p. 1502). The issue is extensively argued because of the provisions of canon law, which did not regard error as to virginity as ground for vacating a betrothal, and because of Lev. 21:7; Deut. 22:13-21; and Matt. 1:19. Gerhard holds that the Deuteronomy passage no longer applies. Dannhauer holds that error as to virginity is a legitimate ground for dissolution even after the marriage is consummated (*op. cit.*, pp. 279, 280). Dunte holds that unless the fornication is obvious (as in

- the case of pregnancy), the consistory is not to dissolve the betrothal, and the man may not present elaborate proof of the woman's immorality (*op. cit.*, p. 829).
83. Gerhard, *op. cit.*, VII, pars. 166, 167, pp. 98, 99; Brochmand, *op. cit.*, pp. 1470, 1471; Deyling, *op. cit.*, pp. 541, 542.
  84. Brochmand, *op. cit.*, p. 1501.
  85. So the Constitutions of Frederick II of Denmark and Norway (Brochmand, *op. cit.*, p. 1501).
  86. *Veneficium*, which includes both the practice of black magic and the mixing of poisonous potions. According to the theological faculty of the University of Jena, pronouncing (1668) on an interesting case in which an allegedly psychic soldier had accused a young woman of sorcery, sorcery is a ground for breaking a betrothal *quoad vinculum* (Dedekenns-Gerhard, *op. cit.*, III, 822).
  87. Insanity developing or discovered between the betrothal and marriage is a ground for dissolving the betrothal because an insane person cannot give the nuptial consent (Brochmand, *op. cit.*, p. 1503, 1504).
  88. The Constitutions of Frederick II made *discovery* of such diseases after betrothal ground for vacating it. If they were *contracted* after betrothal, a certain time was allowed for the recovery of health, after which the healthy party could seek dissolution of the betrothal (Leviticus 13 and 14) (Brochmand, *op. cit.*, p. 1514).
  89. Deyling's list (*op. cit.*, pp. 541, 542) includes capital and irremissible hatred (which Brochmand, *op. cit.*, pp. 1500, 1501, expressly refuses to allow), contempt of the other party, and an *attempt* to become betrothed to someone else.
  90. Gerhard, *op. cit.*, VII, par. 106, p. 72.
  91. So the theological faculty of the University of Leipzig in Dunte, *op. cit.*, p. 813. But Justus Feuerborn (Balthasar Mentzer's son-in-law) held that a consistory could permit a betrothed woman to *postpone* marriage with a demonstrably "tyrannical" betrothed, on the analogy of a separation from bed and board (*ibid.*, pp. 828, 829).
  92. Gerhard, *op. cit.*, VII, par. 169, p. 100; Deyling, *op. cit.*, pp. 544, 545; John Francis Buddeus, *Institutiones Theologiae Moralis* (Leipzig, 1715), pp. 566, 567. "A betrothal properly so called, which is the promise of future marriage and is contracted by betrothal consent, does not introduce so final and indissoluble a bond as a valid marriage, which is contracted through nuptial consent publicly and solemnly given with the sacerdotal blessing and the handing over of the bride into the marital power of the groom" (Gerhard, *op. cit.*, VII, par. 656, p. 439). Thus a betrothal based upon a stipulation — such as, in case of disparity of religion, that each promises that the other can freely exercise his or her religion — can be broken if the contract is violated, but a marriage cannot (*ibid.*, par. 135, p. 86). Again, insanity is ground for dissolving a betrothal but not a marriage (*ibid.*, par. 689, pp. 455, 456).
  93. Quenstedt, *op. cit.*, IV, 452, 453.
  94. Deyling, *op. cit.*, p. 540.
  95. Gerhard, *op. cit.*, VII, par. 152, p. 93. Gerhard carefully differentiates the betrothal consent from the nuptial consent, but recognizes both as the proximate efficient cause of marriage (*ibid.*, par. 124, p. 81).
  96. *Ibid.*, par. 168, pp. 99, 100. The quoted clause reads: "*Videtur quidem*

*discrimen quoddam intercedere inter sponsalia populi Israelitici ac nostris moribus contracta."*

97. Baier-Walther, *op. cit.*, III, 779; compare also Buddeus, *op. cit.*, pp. 564, 565.
98. Gerhard, *op. cit.*, VII, par. 55, pp. 41, 42; Quenstedt, *op. cit.*, IV, 452. The theological faculty of the University of Leipzig (1634) sustained the validity of a marriage between an army lieutenant and an army captain's mistress, although the lieutenant had given false Christian and family names to the officiating pastor, asserted afterward that he had acted only *pro forma* and had answered *Jahr* (year) instead of *Ja* (yea) to the question whether he took the woman to be his wedded wife (Dedekennus-Gerhard, *op. cit.*, III, 857). Internal acts alone are not sufficient to contract marriage (Baier-Walther, *op. cit.*, III, 749). John Adam Osiander proved that *consensus mutuus facit matrimonium* from Deut. 22:23, 24 (quoted *loc. cit.*)! — A young man who has violated a girl can be urged and exhorted to marry her and, if he refuses, can be punished by the civil authorities, but he cannot be compelled to marry her (Dedekennus-Gerhard, *op. cit.*, III, 87). The principle — only as a surrogate of marriage, however — that a man must either marry or endow a girl he violates (*stuprator ab se vitiatam aut ducat aut dotet*) is recognized (Deyling, *op. cit.*, p. 577); hence marriage is not always to be insisted upon in the case of violation.
99. Gerhard, *op. cit.*, VII, pars. 413, 414, pp. 242, 243. Mentzer says that honorable intercourse is the use of matrimony, not its efficient cause; the consent that is the efficient cause of matrimony is not any kind of consent, but legitimate and full, not only betrothal-consent but nuptial-consent (Dunse, *op. cit.*, p. 822).
100. Gerhard, *op. cit.*, VII, pars. 231—36, pp. 138—42.
101. Dannhauer, *op. cit.*, p. 520; Baier-Walther, *op. cit.*, III, pp. 754, 756; Buddeus, *op. cit.*, p. 551. But Gerhard points out that persons whose reproductive organs are whole and whom God and the medical profession may be able to help should not be prohibited from marrying unless the defect is clearly irremediable. The Leipzig Consistory defended (1660) a marriage between two persons one of whom was known to be incapable of intercourse, but the orthodox theologians held such a marriage, if contracted, to be a nullity and to be forbidden by all means if not yet contracted (Deyling, *op. cit.*, pp. 549, 550). But see also note 129 below as well as *Allerhand . . . Bedenken*, pp. 229, 230.
102. Caspar Finck held that women over sixty should not be permitted to marry (in Dunte, *op. cit.*, pp. 804, 805); Dunte himself says that no rule can be laid down.
103. The Rostock theological faculty held (1572) that since after the Fall marriage serves as a remedy against evil desire, marriage ought not to be disapproved for persons past the age of child bearing (Dedekennus-Gerhard, *op. cit.*, III, 54). Marriage between the young and the aged ought to be discouraged, but disparity of age is not an absolute impediment, according to Gerhard (*op. cit.*, VII, pars. 397, 398, pp. 233, 234).
104. These diseases disqualify for marriage on eugenic grounds, according to Dannhauer; the principle "It is better to marry than to burn" applies only to those suited for marriage (*op. cit.*, pp. 262—64). — The betrothal and marriage of dwarfs, according to Gerhard, should be discouraged for eugenic reasons, but cannot be forbidden outright (*op. cit.*, VII, par. 234, p. 140). The Dresden Consistory ruled favorably on the marriage of two dwarfs with each other (Dedekennus-Gerhard, *op. cit.*, III, 57).

105. Gerhard, *op. cit.*, VII, par. 228, pp. 136, 137; Brochmand, *op. cit.*, pp. 1473 to 1497. But the deaf and mutes may marry (*ibid.*, pp. 1497, 1498).
106. The Meissen Consistory ruled against marriage of a *de facto* deserted woman with her unmarried lover (Dedekennus-Gerhard, *op. cit.*, III, 374). The Jena theological faculty (1621) withheld permission to marry from a deserted woman who was pregnant by her lover (*ibid.*, pp. 374, 375).
107. Dedekennus-Gerhard, *op. cit.*, pp. 373—75. The theological faculty of the University of Jena ruled that an adulterer, or a person divorced for other reasons, may not remarry (Dunte, *op. cit.*, p. 857). The Meissen Consistory ruled (1560) against permitting a remarriage in such a case and recommended that the adulterer and his new spouse-elect be banished (Dedekennus-Gerhard, *op. cit.*, III, 373, 374).
108. So the Constitutions of Frederick II of Denmark and Norway (Brochmand, *op. cit.*, pp. 1498, 1499), Mentzer, and "many" other Lutheran theologians, following canon law (Dunte, *op. cit.*, p. 826). Contrary dispensations from the *impedimentum criminis* should be conceded only rarely (Gerhard, *op. cit.*, VII, pars. 381—85, pp. 223—25). Such permission was granted in exceptional cases by the Wittenberg (Dedekennus-Gerhard, *op. cit.*, III, 172) and Meissen (Dunte, *op. cit.*, p. 826) Consistories. But Deyling reports that in his day Lutheran consistories tended to make exceptions on the condition that the customary solemnities be omitted and that the couple change its residence elsewhere (*op. cit.*, pp. 551, 552).
109. Gerhard, *op. cit.*, VII, pars. 662, 705, pp. 418, 419, 464, 465. The Consistory of Electoral Saxony held that Matthew 19 and 1 Corinthians 7 really forbid remarriage to the guilty party, and this must be the official counsel; but if they cannot live chastely, let them leave the country and marry outside it (Dedekennus-Gerhard, *op. cit.*, III, 373).
110. Deyling, *op. cit.*, p. 546.
111. "*Matrimonium est res mere civilis et saecularis.*" See Gerhard *op. cit.*, VII, pars. 696, 700, pp. 459—62.
112. *Ibid.*, pars. 14—40, pp. 8—31; Brochmand, *op. cit.*, p. 1486; Deyling, *op. cit.*, pp. 506, 507.
113. Dedekennus-Gerhard, *op. cit.*, III, 298—308, 850—58.
114. Gerhard, *op. cit.*, VII, pars. 409—12, pp. 239—42; Baier-Walther, *op. cit.*, III, 751—54; the theological faculties of the universities of Wittenberg and Leipzig (in Dunte, *op. cit.*, pp. 847, 848), Rostock (1622) (Baier-Walther, *op. cit.*, III, 754), and Jena (1657) (in Dedekennus-Gerhard, *op. cit.*, III, 850—53). See especially Paul Graff, *Geschichte der Aufloesung der alten gottesdienstlichen Formen* (2d ed.; Göttingen, 1937 to 1939) I, 331—54; II, 260—72.
115. Mentzer, in Dunte, *op. cit.*, pp. 821—23.
116. Secret nuptials are scandalous and are to be discouraged (Dunte, *op. cit.*, p. 848). Only marriages solemnized with the priestly blessing were valid in Denmark and Norway under the Constitutions of Frederick II (Brochmand, *op. cit.*, pp. 1514, 1515). But Caspar Calvoer points out that we do not solemnize anew marriages of couples converted to our communion from paganism and Islam (*Rituale ecclesiasticum*, Jena, 1705, pp. 127, 128). Legal decisions legitimizing issue of a union based only on public betrothal were held to be merely civil in their effect (Deyling, *op. cit.*, pp. 554, 555). If the couple cannot secure sacerdotal blessing of their union, this should not trouble their conscience, the Theological Faculty of the University of Wittenberg held (1612) (Dedekennus-Gerhard,



- op. cit.*, III, 298). — The Leipzig Theological Faculty held that a proxy marriage was valid in the light of Genesis 24, but not expedient (Dedekennus-Gerhard, *op. cit.*, III, pp. 856, 857).
117. In cases of necessity, where the groom is suspected of getting ready to flee, or if either party is without good reason reluctant to go through with the ceremony, the ceremony usually takes place before the consistory. In Saxony nobles had the privilege of home ceremonies, and the Prince could extend the privilege to others by dispensation. The same privilege was once a perquisite of doctors and licentiates, but by 1743 it had fallen into desuetude and was deemed to have lapsed. (Deyling, *op. cit.*, pp. 562, 563.)
  118. Deyling, *op. cit.*, p. 563.
  119. Particular care is enjoined in the case of soldiers; privates and noncommissioned officers could be married only with the express permission of the regimental commander (Deyling, *op. cit.*, pp. 561, 562). The Wittenberg theological faculty criticized (1617) the "frivolous preachers who marry everybody that comes along (*leichtsinnige Prediger, die allerley lauffendes Gesindlein zusammen koppeln*)," but deemed valid the marriages so solemnized (Dedekennus-Gerhard, *op. cit.*, III, 307, 308).
  120. Banns were not read for illustrious and noble persons; this concession, at first merely customary, was confirmed in a Royal Electoral rescript to the Leipzig Consistory in 1732 (Deyling, *op. cit.*, pp. 557—59).
  121. Gerhard's favorable opinion (*op. cit.*, VII, par. 474, p. 291) on the propriety of a Lutheran pastor's action in solemnizing the secret nuptials of a Roman Catholic cleric (*canonicus*), if there were good hope of his conversion to the true Church and if he were not an embittered foe of the Lutheran religion, is frequently quoted.
  122. In 1730 a couple whose nuptials were solemnized by a Roman Catholic priest because they could not lawfully be married in their own Church were punished at Leipzig with 14 days' imprisonment, which could be commuted to three days of work for the Church for each day's imprisonment (Deyling, *op. cit.*, pp. 563, 564). On the other hand, the Stuttgart Consistory conceded (1595) that a Lutheran noble couple could be married by a Roman Catholic priest under certain unusual circumstances and conditions: The family lived in the diocese of Mayence and could obtain no dispensation for the importation of a Lutheran priest; the guests had been invited and the date of the marriage could not conveniently be altered; the Roman Catholic officiant had to agree not to calumniate the true religion in his marriage sermon and to omit all Papistic ceremonies; the couple had to assert that it had left no feasible alternative untried; the Roman Catholic officiant was goodhearted, was himself married, sang Lutheran hymns, and had the general local reputation of being more Lutheran than Roman Catholic (Dedekennus-Gerhard, *op. cit.*, III, 301).
  123. Gerhard, *op. cit.*, VII, pars. 432, 433, 441, pp. 254—57, 263, 264; see also par. 46, pp. 35, 36. In their use of sex, Christian couples should be aware of the ravages of original sin in this area also (Chemnitz-Leyser, *op. cit.*, II, 190). In discussing the use of sex, Gerhard repeats the injunctions of 1 Corinthians 7, 1 Thessalonians 4, and 1 Peter 3:8, and applies 1 John 2:27. He quotes the counsels of the Scholastics not to have intercourse with a pregnant or suckling spouse, before solemn feasts (Ex. 19:15), before receiving Holy Communion, in old age (Genesis 18), or in the daytime, but warns that counsels like these must not be allowed to become snares of conscience. He is familiar with the Roman Catholic moral theologians' questionnaires in the confessional. (*Op. cit.*, VII,



- pars. 435—41, pp. 258—64; cp. Dunte, *op. cit.*, pp. 838—40.) Dunte holds that it is not wrong for old people to have sex relations nor for a young spouse to have relations with an aged marital partner (*op. cit.*, p. 804).
124. Gerhard, *op. cit.*, VII, par. 438, pp. 260, 261. His argument reflects the medical ignorance of the day, which taught that children conceived at the time of the menstrual flow would be monstrous births and prone to epilepsy and elephantiasis.
  125. Koenig, *op. cit.*, pp. 802—07.
  126. Gerhard, *op. cit.*, VII, pars. 442, 443, pp. 264—66.
  127. Dieterich, in Dunte, *op. cit.*, pp. 842, 843.
  128. The Fifth Commandment includes in its condemnation those who hinder conception (Gen. 38:9), who induce abortions, or who kill a foetus in the womb (Ex. 21:22), all who mutilate members of their bodies, and all who consent to, rejoice in, approve, or procure such deeds (Chemnitz-Leyser, *op. cit.*, II, 72, 73; Gerhard, *op. cit.*, III, par. 154, p. 70). The Jena theological faculty, in an opinion written in Latin, *ne castae et piaae aures illiteratorum praesertim caelibum eadem offendantur*, describes *coitus interruptus* after the example of Onan as a sin against the First (Ps. 127:4), Fourth (1 Cor. 7:3), Fifth, and Sixth (1 Cor. 6:9) Commandments, graver than fornication and adultery. The assent of the wife to the practice, far from excusing the husband, makes her a partaker of his sin (Dedekennus-Gerhard, *op. cit.*, III, 366). Cp. Crusius, *op. cit.*, II, 1179.
  129. Gerhard, *op. cit.*, VII, par. 446, pp. 270, 271. The theological faculty of the University of Jena argues interestingly in an opinion (1668) on marriage with a eunuch: "Intercourse with an individual of whom it is known that because of his physical constitution he cannot beget children is a sin against conscience, for *concubitus* is *per se et natura sua propter generationem prolis* and no other *finis per se intentum* can be given. But if a woman who is capable of bearing children *concumbiret* with a man of whom she knows that he is incapable of begetting children, she does so not *ob eum finem* which nature *intendiret*, and *ipsa lex naturae praescribiret*, but only *ad explendam*, which, because it takes place contrary to the light and law of nature, is clearly a deliberate sin against conscience. . . . If it were to be said that there is still another *per naturam intentus finis cohabitationis coniugalis*, namely, to quench evil desires, in accordance with St. Paul's assertion, 1 Cor. 7:9, 'It is better to marry than to burn,' this is not a *finis per se*, but *per accidens intentus*, and must be *intendiret* in accordance with nature, namely, through such *cohabitation* as is not contrary to the *per se intento fini*, which in the present case does not happen. . . . Here . . . intercourse can have no other *finem* than the extinction of evil desire, and thus the *finis per se accidens* is perverted in *finem per se*, which is contrary to nature." (Dedekennus-Gerhard, *op. cit.*, III, 800.)
  130. So the Wittenberg theological faculty in Dunte, *op. cit.*, p. 849; Gerhard, *op. cit.*, III, par. 154, p. 70.
  131. *Ibid.*, par. 166, p. 98; Brochmand, *op. cit.*, pp. 1470, 1501.
  132. Gerhard, *op. cit.*, VII, par. 42, p. 32; Brochmand, *op. cit.*, p. 1477.
  133. *Op. cit.*, IV, 453, 454; Hollaz, *op. cit.*, p. 1383. Dunte makes the chief end that each party help the other to know, honor, and adore God, the Creator, as well as to work and keep house together. The procreation of children is secondary to this first objective; Psalms 127 and 128 show that children are a *special* gift of God. (*Op. cit.*, p. 803.)

# Some Observations on Current Cosmological Theories

By PAUL A. ZIMMERMANN \*

IT has been rightly said that there are fashions in science as in all other fields. This fact has been demonstrated lately by the large number of articles dealing with cosmological problems that have appeared in the last two years in both popular and scientific journals. There has been striking evidence of increased interest in cosmology, the study of the universe, and in cosmogony, the study of the origin of the universe and the world. One of the most popular programs of the British Broadcasting System in 1950 was a series of lectures on the origin of the world and the universe by Fred Hoyle of the University of Cambridge. These lectures were later printed in *Harpers Magazine*.<sup>1</sup> *Life* is currently running a series of articles on "The World We Live In." The first article was entitled "The Earth Is Born."<sup>2</sup> In recent lectures, widely reported in newspapers and in popular magazines, Nobel Prize winner Dr. Harold Urey of the University of Chicago has been explaining his "Recipe for Life." He develops the idea that life was formed on this planet and most likely on a "million billion" other planets throughout the universe by the action of ultraviolet light on a mixture of ammonia, methane, and water vapor.<sup>3</sup>

References to articles and lectures of this type would be greatly multiplied were one to offer a complete bibliography of such articles. The significance of this type of cosmological speculation by famous scientists is not difficult for the Christian theologian to grasp. A common item of all these schemes for explaining the origin of the earth, the sun, and the entire universe is that they are set in conscious opposition to the narrative of a special creation by Almighty God. Nor ought we think that these theorists are purely

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objective scientists carried away by their pursuit of objective truth. Modern cosmologists are very much aware of the fact that they are crusading against Biblical accounts, although they do sometimes point to similarities between their theories and the Scriptural account of Creation. Dr. Urey has openly professed his disbelief in miracles. *Newsweek* quotes him as saying: "I don't say that the things I don't understand are miracles. I just don't understand them."<sup>4</sup> Still more explicit was Fred Hoyle in the closing paragraphs of his book on cosmology. He writes:

Is it in any way reasonable to suppose that it was given to the Hebrews to understand mysteries far deeper than anything we can comprehend, when it is quite clear that they were completely ignorant of many matters that seem commonplace to us? No, it seems to me that religion is but a desperate attempt to find an escape from the truly dreadful situation in which we find ourselves. Here we are in this fantastic universe with scarcely a clue as to whether our existence has any real significance. No wonder that many people feel the need for some belief that gives them a sense of security, and no wonder that they become very angry with people like me who say that this security is illusory. . . . I should like to discuss a little further the beliefs of the Christians as I see them myself. In their anxiety to avoid the notion that death is the complete end of our existence, they suggest what is to me an equally horrible alternative. . . . What the Christians offer me is an eternity of frustration.<sup>5</sup>

The Christian pastor and teacher is thus confronted with a fresh and vigorous attack by materialists on the Bible and the faith of his people. In the name of science, theories are being advanced to show how one can account for the Universe and all its wondrous heavenly bodies without acknowledging the hand of the Creator. It is therefore of significance to consider in some detail current cosmological theories with a view to discerning their weaknesses and errors.

There are those in our culture who might conceivably shrink back from seemingly so formidable a task. In his book *Science Is a Sacred Cow*, Anthony Standen states:

Our world has become divided into the scientist, the infallible man of reason and research, and nonscientists, sometimes contemptuously called "laymen." The dividing line is drawn by the

fact that science has achieved so much, while the layman knows so little—not enough, certainly, to argue back. He might not even want to argue back, for the claims of science are extremely inviting, and a mere layman, his imagination stupefied by these wonders, is duly humble. Since it is only human to accept such flattery, the scientists easily come to share the layman's opinion about themselves. The laymen, on the other hand, get their information about scientists from the scientists, and so the whole thing goes round and round.<sup>6</sup>

In our opinion, Standen is quite right. Science has been made a sacred cow by many. Nevertheless it is obvious, even to the casual observer, that the cow has feet of clay. Despite the respectable and notable advances that science has made, there have been many mistakes, and there remain many unsolved mysteries. This in itself is not surprising; it is inevitable. But it serves to teach the valuable lesson that the "findings" of science should be scrutinized carefully and not accepted with quiet resignation.

For example, for long years now geologists have taught with great assurance that the formation of oil is an extremely slow process that requires millions upon millions of years. In 1934 a formidable team of scientists attacked the problem of determining whether oil might not be constantly forming at an appreciable rate in new marine sediments today. The result of the study was a rather definite negative and seemed to lend support to the idea that oil takes millions upon millions of years to form. So it was with some degree of shock that geologists noted the discovery of Dr. Paul Smith, Jr., of Standard Oil Co., who recently announced that oil is even now being formed in appreciable amounts in off-shore muck and silt. Dr. Smith succeeded in demonstrating this by using the newly developed techniques of chromatography and radio-carbon dating. But the results were none the less embarrassing to a good many people.<sup>7</sup>

Moreover, it can be shown that astronomers are not immune to mistakes. At one time they claimed that an analysis of the light from the sun gave definite evidence of an element on the sun which was not on the earth. Its so-called spectral lines were different from any of the known elements. They christened the strange element *Nebulium*. It remained for the chemists to look into the

mystery and to find that the mysterious lines were simply a mixture of the lines of oxygen and nitrogen in an ionized (highly excited) state.<sup>8</sup>

Many other astronomical opinions have been revised in recent years. At one time it was estimated that the universe was at least five trillion years old. That figure has now been revised to range from two to four billion.<sup>9</sup> While this is still far outside the indications of Scripture, it is quite a magnificent reduction in the right direction, since they have lopped off 4,996 billion years. Currently it is being stated that the earth shows evidence of being younger than many of the stars in our own Milky Way.<sup>10</sup> The universe was recently calculated to weigh ten times as much as was formerly estimated and to be much larger than previously thought.<sup>11 12</sup>

Moreover, it seems obvious that astronomers are having difficulties with comparatively simple problems that are, so to speak, almost in their laps. Many have long desired to know whether the amount of sunlight that the earth receives varies to any measurable extent. Last November it was announced that an astronomer named Gilcas, who works for the U. S. Air Force, had reported that three years of measuring solar energy as it is mirrored off the planets Neptune and Uranus justify the conclusion that there is no appreciable variation in solar energy. However, Dr. Abbot, former director of the Smithsonian Institute, is on record to the effect that there is as much as a five-per-cent variation in solar output. He bases his conclusions on data from observatories located all over the world where solar energy is measured directly as it comes from the sun. It is interesting that the two astronomers, each measuring the same thing, each using a different but apparently reliable method, arrived at very different conclusions.<sup>13</sup>

#### EARLY THEORIES OF COSMOGONY

Modern theories regarding the origin of the solar system can be traced to the philosopher Immanuel Kant, who published his *General History of Nature and Theory of the Heavens* in 1755. Kant postulated that the solar system had developed from a tenuous, homogeneous gas that extended throughout the space now occupied by the planets. Kant's theory is strikingly similar to those being

developed today. However, it has never received so much attention as has the theory of Pierre Simon de Laplace, set forth some fifty years later. Laplace's Nebular Hypothesis stated that in the beginning the solar system was a great nebula or gaseous body. It was at a very high temperature, rotating rapidly, and flattened at the poles as a result of its rotation. As it cooled, it contracted. This contraction caused it to rotate faster and faster. Finally centrifugal force caused the rotating mass to bulge around its equator. The bulge grew until finally a ring of matter shot off into space. Several rings were shot off in this manner. Each in turn formed a planet. The central mass shrank until it became the sun. The planets continued in their rotation about this central mass. Thus the solar system was formed.

Laplace's theory went unchallenged for a century. However, it was finally discarded and is of only historical interest today. The nebular hypothesis was defeated primarily by the consideration of a simple principle of classical physics. Since most of the mass of the solar system is in the sun and very little is in the planets, the sun should have most of what is known as the angular momentum of the solar system. However, the planets, because of their great distance from the sun, have 98 per cent of the angular momentum of the solar system, leaving the sun a mere 2 per cent. This would not be the case had the solar system been formed in the manner suggested by Laplace. There are other considerations against the thesis. For example, Jeffreys and others have shown that a ring of matter equal in mass to the large planet Jupiter would not be gathered into a ring by gravitation, but more likely would break up into small bodies.<sup>14</sup>

The theories that followed the ill-fated nebular hypothesis may be grouped under the heading of "Encounter Theories." They postulated that the sun originally had no planets. However, a great star came from outer space and passed very close to the sun. According to Chamberlin and Moulton, who proposed the theory in 1905, the star's attraction released eruptive forces within the sun which caused great quantities of matter to be shot out from the sun. Some formed smaller bodies which were gradually swept up and became a part of the planets.

This original encounter theory had certain weaknesses that caused

later theorists to modify it. In the "tidal theory," developed by Jeans, it was assumed that the near approach of the star caused a great filament of material to be drawn off the sun by gravitational attraction. This filament was like a great cigar in shape. It eventually broke up into a string of separate masses, forming the planets.

In 1929 Jeffreys modified this theory to the extent of stating that the star must have actually collided with the sun and torn a great filament of material from it. This met some of the objections to the earlier forms of the theory, but still failed to account for that important "angular momentum." The planets are simply too far away from the sun to have been formed in such a way. For the farther away from the center of rotation a body is, the greater its angular momentum. To understand the great distance of the planets from the sun, we may consider the description given by Hoyle:

Think of the solar system as a model in which the sun is represented by a ball about the size of a large grapefruit. On this model the great bulk of the planetary material lies at a hundred yards or more from the sun. In other words, nearly all the planetary material lies very far out. This simple fact is already the death blow to every theory that seeks for an origin of the planets in the sun itself. For how could the material have been flung out so far? It was proved, for instance, by H. N. Russell that if Jean's well-known tidal theory were right, the planets would have to move around the sun at distances of our model of not more than a few feet.<sup>15</sup>

To get around this difficulty, the English astronomer R. A. Lyttleton assumed that the sun originally was a double star. A passing star collided with the sun's companion. As the two colliding bodies rebounded after the collision, they dragged out a ribbon of material between them. The two bodies went off into space, leaving behind a ribbon of material which condensed into planets.

Lyttleton's theory suffered from the weakness that it postulated an extra sun for which there is no evidence of any kind. Furthermore, it still had the weakness inherent in the fact that in the greatness of space the chance of a star coming close enough to this extra sun to do the damage postulated would be very small indeed. How-



ever, Lyttleton's theory did show a way to get the planets far enough from the sun to account for the observed angular momentum. But in March, 1940, H. N. Russell published an article describing the findings of Dr. Spitzer at Harvard. Spitzer, applying the knowledge of modern physics concerning the behavior of gases and the radiation of energy, concluded that the great filament of material spun out by the two colliding bodies of Lyttleton's theory would never have condensed into planets. Spitzer calculated that expansion would win the race between the cooling of the hot gas and its expansion. Russell stated: "The disparity between these two numbers is so great that there is no room for doubt that an actual filament of gas would expand so fast that it would never be able to check itself, long before cooling produced any perceptible effect."<sup>16</sup> So one must conclude that such a filament would spread itself out through space, but would not form planets.

#### EMERGENCE OF THE DUST-CLOUD THEORY

##### 1. *Von Weizsäcker — A New Approach*

During the 1940's astrophysicists attacked the problem of devising a new hypothesis to fill the embarrassing vacuum created by the proved inadequacy of the encounter theories. In 1944 C. F. von Weizsäcker of the Max Planck Institute, Göttingen, Germany, published a paper setting forth a new theory. Weizsäcker's theory was received in this country with much interest. Since the war had cut off the flow of scientific journals from Germany, a summary of the new theory was published in this country by G. Gamow and J. A. Hynek.<sup>17</sup> They hailed the new hypothesis as a fresh start on the difficult problem of cosmogony. It introduced new concepts of solar evolution, concepts capable of theoretical analysis.

Weizsäcker's theory is based on the observation that interstellar space apparently contains an astonishing amount of material in the form of gas and dust particles. Photographs of certain far-off groups of stars show large black areas in front of some of these nebulae. Astronomers have concluded that these spots are vast dust clouds, each containing about enough material to form a star and spread out over an area of the approximate size of our solar system.<sup>18</sup> The Dutch astronomer J. Oort has calculated that the total mass of interstellar gas in the universe is as great as all the material in



all the stars. Yet it is reported to be scattered more thinly than the molecules of residual gas in the highest vacuum obtainable in a laboratory on earth.

Weizsäcker postulated that a star is formed when a great cloud, or nebula, of this interstellar gas and dust condenses into a compact mass. Planets, such as our earth, are formed from portions of the cloud that are on the outer periphery of the cloud from which the mother star is formed. Weizsäcker began his detailed account of his theory at that point in the evolution of the star known as the sun when a large primitive sun was already in existence. This was assumed to be fairly well developed and surrounded by a rotating shell of gas and dust containing approximately one tenth as much material as is in the sun today. In this large and diffuse cloud, each particle of matter was revolving about the sun in an elliptical orbit.

The great solar dust cloud is said to have been in the shape of a great disk. The material in the disk was of the same composition as that of the sun today. That is, ninety-nine per cent of the total mass was made up of the very light gases hydrogen and helium. The remaining one per cent was made up of heavier elements which were formed at an earlier time from primeval hydrogen and helium. Thus there was a great rotating stream of gas, intermingled with a much smaller quantity of solid particles. The temperature was not high. He theorizes that it was about the same as present planetary temperatures. Thus the formation of the planets was a relatively cold process, and the heavier elements were in the form of solid particles. As the disk rotated year after year, the light helium and hydrogen were dissipated into outer space, but the heavier particles condensed into solid bodies known today as the planets. Weizsäcker computed that this process took approximately a hundred million years.<sup>10</sup>

The chief problem that confronts the author of such a theory is to demonstrate that such a process could actually have taken place. That is, he must show that it is theoretically possible. For, as we shall see later, it is impossible to actually prove from observed facts that it did take place or that it is taking place in the universe today. Weizsäcker's proposal is that such a condensation took place in the cloud as a result of the combined effects of rotation and

turbulence.<sup>20</sup> As the particles rotated around the sun, they had different angular velocities, depending on how far they were from the sun. This produced turbulence. The gas did not flow in a smooth fashion, but in a violent, tempestuous way. It broke up into distinct and separate eddies. Thus various parts of the gas and dust were shoved into closer contact. As the particles collided, they stuck together and gradually grew into larger particles by an accretion process. Eventually smaller eddies formed on the surface of the large eddies. These acted like "roller bearings" within the system. All of the eddies absorbed extraneous matter as they revolved. But the "roller bearings" built up to solid masses most rapidly.<sup>21</sup> Eventually certain large particles grew so large that they picked up everything that came within their gravitational attraction. Thus they cleared huge paths through the solar nebula. This process is said to have continued until the gas-dust cloud was depleted and the planets were formed. The satellites (moons) of the various planets were formed in essentially the same sort of process from the clouds that surrounded the early planetary masses.

Despite the fact that Weizsäcker's ingenious theory was proposed just nine years ago and was supported by impressive mathematical formulas and calculations, astrophysicists have now judged that "it must be abandoned."<sup>22</sup> In an article that appeared as a part of a symposium commemorating the fiftieth anniversary of the Yerkes Observatory, G. Kuiper pointed out certain basic weaknesses in Weizsäcker's theory which forbid its acceptance today.

As in the case of all such hypotheses, the element of time is of crucial importance. Weizsäcker himself has acknowledged that the nebula around the young sun eventually diffused into outer space. But he attempted to show that the condensation of about one per cent of this cloud into the bodies known as the planets took place before the raw material blew away. However, Kuiper judges that Weizsäcker's mathematical conclusions are invalid. He has demonstrated that the condensation process, if it took place at all, would require thirty million years to form a small body of the size of our moon. On the other hand, Kuiper has also shown that in one third this time the nebula would have diffused itself into outer space, effectively stopping the condensation process. Kuiper states: "In view of the computed lifetime of the solar nebula, the process

of planetary condensation appears barely possible."<sup>23</sup> He has also demonstrated that before the gravitational attraction of the growing bodies could be of help in speeding up the process, the bodies would have to be as large as the moon. But by that time the solar nebula would have been hopelessly scattered into outer space.

Kuiper attacks Weizsäcker's hypothesis on still another score. He points out that Weizsäcker's accretion formula is "highly idealized." He states that the implicit assumption behind the German physicist's theory is that the colliding particles of dust will stick together when they collide. Yet it is known that this is not true in general. Such a phenomenon does not take place, for instance, in terrestrial dust storms. Even very cold snow or hail does not combine in the air. He admits that Weizsäcker's formula of accretion may apply under certain very special conditions, but he insists that it would not operate as Weizsäcker has postulated. The particles would not stick together and form ever larger lumps of material.

Weizsäcker's system of "roller-bearing" eddies of gas and dust has also come under fire. A vital requirement of the theory is that a regular system of vortices must remain intact during essentially the entire period of planetary accretion. This is due to the fact that the planets all have regular motion, i. e., revolve in the same direction. In considering this phase of the theory Kuiper judges: "It is difficult to conceive that the beautiful system of vortices could actually have been in existence long enough—even for 10 or 100 years—to get the condensation of the building material for the planets under way."<sup>24</sup> Yet the proposed scheme demands not a hundred years, but millions.

Other weaknesses in the theory have been revealed by recent advances in hydrodynamical theory. One of the early claims for Weizsäcker's scheme was that it accounted for the definite arithmetical ratio governing the spacing of the planets from the sun (Bode's Law). However, it has now been recognized that Weizsäcker's theory in reality is based upon the empirical knowledge of Bode's Law and provides no theoretical explanation for it.<sup>25</sup> S. Chandrasekhar has also referred to the fact that Weizsäcker's theory is not in accord with present theories of turbulence. Nor

does he feel that the science of turbulence has advanced far enough for anyone to draw definite conclusions. Chandrasekhar states:

We cannot make bricks without straw. It is equally true that we cannot construct a rational astrophysical theory without an adequate basis of physical knowledge. It would therefore seem to me that we cannot expect to incorporate the concept of turbulence in astrophysical theories without a basis theory of the phenomenon of turbulence itself. It appears that the first outlines of such a physical theory are just emerging.<sup>26</sup>

It should also be noted that Weizsäcker's theory shares with other such schemes the fundamental weakness that it is not susceptible of direct proof. The nature of the process and the vastness of the universe is such that many astronomers are of the opinion that we are unable to check and see whether there are other star systems in which a planetary system is evolving out of a gas cloud. When Gamow and Hynek reviewed Weizsäcker's new hypothesis in 1945, they immediately pointed out that it would have to be judged on "other than observational grounds."<sup>27</sup> Kuiper points out that we are not even in a position to observe whether or not our sun is the only star that has planets. He states: "No other planetary systems are known to us, nor could they be."<sup>28</sup> Hence such ideas as Weizsäcker's remain in the field of speculation.

There are, however, certain astronomical facts known from observation which do militate against Weizsäcker's idea. Weizsäcker himself recently admitted that the existence of so much interstellar material in the vicinity of our sun, together with the fact that he can find no evidence whatever of stars being formed now from that material, constitutes a paradox. He hazards a guess that the presence of stars already formed prevents the condensation of any more of the interstellar gas.<sup>29</sup> But this is a poor defense. Greenstein, astronomer at the Mount Wilson Observatory, is of the opinion that the known stars rotate so fast that one must conclude that they could never have been formed by a condensation process.<sup>30</sup>

Despite these objections and others, Weizsäcker's theory has exerted tremendous influence on the work of other cosmogonists. An examination of current writings in the field shows this to be the case. Nevertheless it is obvious that this theory too has been rejected and passed by. It thus shares the fate of the earlier cosmogonies.

## 2. *Whipple and Spitzer — Light Pressure*

In 1948 the American astronomers Whipple and Spitzer proposed a new hypothesis.<sup>31</sup> They suggested that dust clouds under unusual conditions might be forced into larger clouds by the pressure of light from adjoining stars. They based this idea on the theory that it is light pressure that causes comets to form tails by forcing fine material away from the head of the comet. Applying the same idea to dust clouds, they postulated that light pressure might cause these clouds to slowly come together until finally the particles would be close enough for gravity to become effective and pull the body into a still more compact mass. It was proposed that such a cloud might collapse and form a star in something less than a billion years.

Spitzer and Whipple were immediately confronted by the perpetual problem of explaining why all the material did not form just one sun, without any planets being formed. How was it that the planets were formed at great distances from the sun? Like Weizsäcker they attempted to meet this difficulty by assuming that there were streams in the dust cloud. There was turbulence, constant motion. This, they thought, would account for the formation of planets through the condensation of concentrations of dust at various parts of the cloud. Some of these planets would be captured by the gravitational attraction of the sun; others would remain outside and finally form the planets as we have them today.

The originators of this theory were not blind to its drawbacks. It does not account for the spacing of the planets at their proper distances from the sun. These spacings, as Titius and Bode pointed out in the 18th century, follow a definite arithmetical rule. Secondly, it does not account for the retrograde motion of some of the moons of the planets. Three moons of Jupiter, one of Saturn, and that of Neptune revolve in a direction opposite that of their parent planets. This is a question that has bothered all the theories from the very beginning. And the dust-cloud hypothesis does not solve the problem. Whipple felt constrained to postulate that these moons were captured later by the planets when it was too late to change their spin, but this is a weak answer and has always been recognized as such. Finally, Whipple admits, the chief difficulty of the theory has to do with the question of how the protoplanets

maintained themselves during the early stages. At that period dust clouds had to be very rare, their average density being more nearly a vacuum than is the vacuum in a thermos bottle. Yet they had to hold together sufficiently to pick up material from the rare spaces between them, and they had to be massive enough to grow and not spiral in toward the sun. Such a situation is difficult to imagine.<sup>32</sup> We might add that it also suffers from this difficulty: if one extends the idea to the very beginning, how were the first stars formed, those stars whose light was needed to drive the cosmic dust close enough together so that gravitational forces could take hold?

Despite these difficulties the dust cloud hypothesis as developed by Weizsäcker, Whipple, Spitzer, and others is today the ruling theory. In one modified form or another, modern cosmogonists use this concept. This will be evident as we now look at a few of the theories of this decade and attempt to evaluate them.

#### REPRESENTATIVE AMERICAN AND ENGLISH COSMOGONISTS

##### 1. Urey—the Cold Process

Dr. Harold Urey, professor of chemistry in the Institute for Nuclear Studies of the University of Chicago, is among the more prominent American theorists, and is hailed today as the founder of a new science known as "Astrochemistry." The essence of his theory is contained in his recently published book, *The Planets, Their Origin and Development*, and in numerous articles and lectures.<sup>33</sup>

Urey's theory is based, to a large extent, on the work of the astronomer Kuiper, whose book *The Atmosphere of the Earth and the Planets* was also published last year. It starts out with a vast cloud of dust and gas in this particular region of space. Gravitational forces are said to have compressed the cloud after starlight had driven it close enough together. In some way the sun was formed in the center of this mass. Urey confesses that he is not clear on how this was brought about. Around this sun there wheeled a great cloud of dust. As it whirled, it broke up into eddies. At points of high concentration protoplanets formed.

Thus far Urey's theory is not distinctive. But at this point he emphasizes a "cold" process of formation. Urey is convinced that

the earth was never so extremely hot as other theorists suppose. He thinks that if the earth had ever been in a molten condition, all of the iron would be in the center of the earth and much more sandy material (silica) would be in the outer part. He also points to astronomical evidence indicating that Mars contains about thirty per cent iron and nickel with a nearly uniform chemical composition. Urey concludes from this that Mars could never have been in a molten state.

Carrying through this "cold" motif, Urey postulates that the simple chemical compounds, water, ammonia, and methane (natural gas), condensed in various bands or regions of condensation in the cloud. This produced a sticky, mushy medium, which greatly speeded up the process of accumulating enough material to make a planet such as the earth. Urey recognizes the basic weakness of the dust cloud hypothesis, namely, that colliding solid particles of dust or smoke would bounce off one another or be shattered on impact rather than stick together and form enough of a lump of material to make a planet. Hence he takes advantage of the idea that the earth was most likely not molten at the time of its formation. This allows him to suppose the existence of a slushy snow of condensed gases that acted as a sort of glue to hold the material together. The temperature is thought to have been at about the freezing point of water.

Urey believes that at a later date the temperature of the earth rose to a level high enough to melt iron. This presumably was due to the effect of gravity as it crushed together the condensing material. As a result of this high temperature many of the lighter gases picked up enough energy to escape the gravitational attraction of the earth. Thus he seeks to solve the problem posed by the small amount of hydrogen gas in the earth's atmosphere today. The heavier gases, such as nitrogen, carbon dioxide, oxygen, and water did not escape, since they were heavy enough to be held by the earth's gravitational attraction.

The final step was the evolution of life on the earth, after the surface of the earth had lost most of its heat. Urey supposes that ultraviolet light from the sun caused ammonia, methane, and water molecules to rupture and recombine into more complicated compounds. This was repeated until one day there was born a "con-



glomeration so well organized that it could gobble up its neighbors, make replicas of itself, and do a bit of breathing. This, the first microbe, survived and multiplied. Its breathing, photosynthesis, introduced free oxygen into the atmosphere. And its progeny were plants and ultimately animals."<sup>34</sup>

It is obvious that Dr. Urey does not lack imagination. But the question is, What shall we say as to the possible validity of his theory?

It is best to start our critique by listening first to an admission by Dr. Urey. He states:

None of us was there at the time, and any suggestions I may make can hardly be considered as certainly true. The most that can be done is to outline a possible course of events which does not contradict physical laws and observed facts. For the present we cannot deduce by rigorous mathematical methods the exact history that began with a globule of dust. And if we cannot do this, we cannot rigorously include or exclude the various steps that have been proposed to account for the evolution of the planets. However, we may be able to show which steps are probable and which improbable.<sup>35</sup>

This is an important statement. This shows clearly what cosmogonical theorizing is. It is good, clean fun for an astronomer, a mathematician, a chemist, a physicist. It is an exercise in working out a logical scheme of proposed events which would lead to the formation of the earth and the solar system as we find them now. It is a game, the rules of which are observed physical and chemical laws. But even if one wins the game by devising a perfect system that accounts for every detail of the properties of the heavenly bodies, he still will not have proved that things did, in fact, take place as he deduced they might have.

But Urey, for one, has not yet won the game. He himself admits that his theory has no logical, reasonable way of accounting for the formation of the sun. If a mass started condensing, if enough condensed to form the sun, what stopped the process from continuing so that the entire mass of material did not form one large body? After all, the sun makes up 99 $\frac{86}{100}$ % of the mass of the sun and planets combined. Why did that paltry  $\frac{1}{100}$  of one per cent not fall into the main body also? This is a serious question, one that has not been answered.

Prof. Otto Struve, of the University of California, raises other objections to Urey's theories. In a review of Urey's book he states:

If the solar system was formed from a cloud, should we not expect to see some traces of similar nebulae in connection with other solar-type stars? A nebula with an average density of  $1/1,000,000$  of a gram per cubic centimeter would have ten<sup>36</sup> atoms, mostly of hydrogen, in every cubic centimeter. If such nebulae are really numerous, there must be some whose planes are in our line of sight. We would then be observing their central solar-type stars through a screen of ten<sup>37</sup> centimeters thick. We should be able to detect such a nebula. . . . The fact that we have not done so, indicates that it rarely occurs in our galaxy, or, if it is common, lasts only a short time.<sup>38</sup>

In other words, there is no evidence to support Urey's extravagant claim that he would not be surprised if life existed on about a million billion planets other than the earth.

Struve pointed out other objections. He noted that Urey did not provide a time scale for the various condensation and evaporation processes he postulates. This is a serious weakness, for astronomers feel more and more that the universe isn't old enough to squeeze in too many of these theorized processes. Struve also points out the similarity between Urey's theory and the accretion mechanism proposed by Hoyle, Lyttleton, and Weizsäcker. These theories have been seriously criticized. Therefore Struve points out that Urey's use of them should not be taken as an indication that they are anything more honorable than pure assumptions. He finally makes this statement concerning Urey's book: "It contains many uncertain conclusions and in some places arouses doubt and disbelief."<sup>39</sup>

It is interesting to look at the criticisms Fred Hoyle, the Cambridge cosmologist, raises against this type of theory. His first point is the objection noted by us above; it does not account for the origin of the sun in a satisfactory fashion. Hoyle states:

The planets, they said, were not formed from the sun in a state as it is at present, but at the time when the sun had a vastly greater size, as it must have had when it was condensing out of the interstellar gas. But it is hard to see how this can help. To make it work at all, it would be necessary to demonstrate that a blob of primeval gas, the interstellar gas, could condense in such a way that the great bulk of it went to form a massive inner body — that

is to say, the sun — surrounded at vast distances by a wisp of planetary material. And I do not think that this can be done. At any rate, all the attempts that have so far been made to cope with the difficulty seem to me to fall very short of the mark.<sup>40</sup>

A second and equally important point is made by Hoyle when he calls attention to the fact that the relative abundance of the various chemical elements in the sun is tremendously different from the terrestrial abundances. He says:

Apart from hydrogen and helium, all other elements are extremely rare, all over the universe. In the sun they amount to only about one per cent of the total mass. Contrast this with the earth and the other planets where hydrogen and helium make only about the same contribution as highly complex atoms like iron, calcium, silicon, magnesium, and aluminum. This contrast brings out two important points. First, we see that material torn from the sun would not be at all suitable for the formation of the planets as we know them. Its composition would be hopelessly wrong. And our second point in this contrast is that it is the sun that is normal and the earth that is the freak. The interstellar gas and most of the stars are composed of material like the sun, not like the earth. You must understand that, cosmically speaking, the room you are now sitting in is made of the wrong stuff. You yourself are a rarity. You are a cosmic collector's piece.<sup>41</sup>

We may well observe that even though Hoyle is an agnostic, his observations give striking support to the manner in which the Bible treats the earth as of primary importance.

But perhaps the weakest point of all of Urey's theory is his bland assumption that the complex materials that make up living cells synthesized themselves from simple molecules of water, marsh gas, and carbon dioxide under the influence of ultraviolet light. It is a known chemical fact that ultraviolet light does cause certain chemical reactions and recombinations. But these are of the nature of a child building a tower of blocks versus the problem of the construction of an atomic-powered submarine, when you compare these simple compounds of hydrogen, carbon, and nitrogen with the complex protein molecules which are the simplest parts of living things but are nonetheless so complicated that the most skillful chemist of our modern day is still not able to synthesize them.<sup>42</sup> Even if a protein were to synthesize itself, that would be

far from enough. Cells, living cells, contain a fantastically complicated organization, including the complex nucleic acids which have the ability to reproduce themselves. Nor would the synthesis of one protein or of one cell be enough. The extraordinary process would have to repeat itself again and again. Those who are interested in studying the mathematical odds against life coming into existence on its own initiative, purely by chance, are referred to the interesting discussion in Pierre Lecomte Du Nouy's *Human Destiny* and *The Road to Reason*.<sup>43 44</sup> But perhaps the most painless way to see how far man is from establishing the plausibility that the miracle of life could have performed itself is to reflect on this, that while Urey is setting forth his theory of the origin of life, he admits that he has now one lone graduate student assigned to bombarding a gaseous mixture of methane, water vapor, and ammonia with ultraviolet light. He will carry out the bombardment and then check to see whether any complex compounds are formed in accordance with the theory.<sup>45</sup> I believe that it is obvious, even to the nonscientists, that this is putting the cart before the horse. It is hardly scientific to make great propaganda for an idea and apparently place great confidence in it before even the most elementary experiments checking it have been carried out. But this unscientific attitude is all too common among scientists when promulgating their favorite evolutionary theory.

## 2. Gamow's Theory — Primeval Light

Another prolific American cosmogonist is George Gamow, Professor of Physics at George Washington University. Gamow's theory is not too much different from other dust-cloud hypotheses after the first half-hour of creation. But he packs a lot into a half-hour. He reasons that at time zero there were nothing but protons, electrons, and neutrons floating around. These are the most important of the fundamental particles of which matter is now made up. The temperature of this original material was extremely high. He has, of course, no explanation as to where this primeval material came from, nor how it became so hot. However, he thinks that it was at a temperature of many billions of degrees. As it cooled, it finally hit the point where these particles began to condense and form chemical elements. At the end of five minutes only a few of the simpler species, such as helium, were left but there was

a tremendous amount of radiant energy present. Since this radiant energy is a form of light, Gamow refers to this as primeval light. From Einstein's equation for the equivalence of energy and mass, Gamow computes that this light was so heavy that it was of the density of iron. At the end of a half-hour most of the light had been converted into matter which formed a great cloud of gas and dust. He figures this existed about 30 million years before it cooled enough to begin to condense into stars and planets.<sup>46</sup> From this point on, Gamow follows the conventional ideas of modern cosmology.

In looking at Gamow's theory, one is, of course, struck by his emphasis on primeval light being prominent at the beginning, as in Gen. 1:3. There were those who scoffed not so long ago because light was mentioned in the Biblical account before the sun. But it is obvious that modern physics does not regard this as unreasonable at all. Also remarkable is that the main part of Gamow's scheme of creation takes place in from five minutes to a half-hour.

Gamow's theory, however, is not without its faults. Even Dr. Gamow acknowledges that "It is too early to say if this theory accounts for all observed facts."<sup>47</sup> He points out that one of the main difficulties is that no known nuclear process exists for building weights across the number five. Below that and above that atoms can in general be built up by neutron bombardment. But there is no atom of weight five which is stable. This means that the whole scheme falls because a rung in the ladder is missing. But this is not the only isotope, or chemical atom of definite weight, that causes trouble. There are some others farther up the ladder. They are the so called "shielded isotopes," which cannot be formed by beta decay after neutron bombardment.

Another weakness of the whole dust-cloud hypothesis is emphasized in Gamow's work. Gamow calculates that the great galaxies were formed in what for cosmologists is a relatively short time, namely 70 million years. But when he tries to compute how fast the supposed gas-and-dust cloud had to spin around like a whirlpool to make this come out right in the formula, it becomes necessary for him to postulate that the cloud was moving with a velocity of 3,000 miles an hour.<sup>48</sup> This is a rather striking postulate, but Gamow makes it without taking a second breath.

It is typical of the remarkable flights of imagination that cosmologists are willing to take, all without anything that resembles respectable proof. We are not alone in this conclusion. In the November, 1952, issue of *Scientific American*, Gamow's recent book, *The Creation of the Universe*, is reviewed. The reviewer states: "Its hypotheses are as high, wide, and handsome, not to say as varied and ingenious, as the breath-taking flights of poets and philosophers who have speculated on the subject since ancient times."<sup>49</sup>

But the basic weakness of all such theories is revealed by Gamow himself. He states:

Another question pertains to the forces that caused the original expansion of the universe and the state of affairs which must have existed prior to the maximum stage of contraction which was the starting point of our discussion. . . . No information could have been left from an earlier time, if there ever was one. This conclusion is in complete agreement with the statement made centuries ago by St. Augustine of Hippo, who in one of his writings was trying to answer the question of what God was doing before He made heaven and earth. "He was making hell," wrote St. Augustine, "for the persons who ask that type of question."<sup>50</sup>

### 3. Fred Hoyle — *Continuous Creation*

Prominent among the English cosmologists is Fred Hoyle, of Cambridge University. His theories are set forth in a series of articles in *Harper's Magazine*, December, 1950, to April, 1951,<sup>51</sup> and in book form under the title *The Nature of the Universe*.

We have the space to consider only two distinctive features of Hoyle's system of cosmogony. The first is stated compactly by himself in the March, 1951, issue of *Harper's*:

There was once another star moving around the sun that disintegrated with extreme violence. So great was the explosion that all the remnants were blown a long way from the sun into space with the exception of a tiny wisp of gas. . . . This gas at a far distance from the sun took the form of a rotating circular disk. The planets condensed out of the material of this disk.<sup>52</sup>

Thus at one stroke Hoyle gets the material blown out far enough to account for the vast distances of the earth and the other planets from the sun, and he accounts for the chemical composition of

the earth. For, he says, the heat of the explosion was enough to cause simple hydrogen and helium to fuse into larger elements.

The fundamental weakness of this part of Hoyle's theory is not hard to spot. Kirtley Mather of Harvard University reviewed Hoyle's book in the July, 1951, issue of *American Scientist*. He states:

Mr. Hoyle's book, although stimulating and informing, should be read with great caution. . . . He overreaches when he comes to hypotheses of stellar and planetary evolution and to speculations concerning matters that are at present beyond the pale of "fruitful" contemplation. . . . For example, he writes dogmatically that "there was once another star moving around the sun that disintegrated with extreme violence." No hint is given that this is a speculative idea, as yet hardly qualified even to be rated as a working hypothesis, because no means are at hand for applying rigid tests to its validity. Or again, he states that he "has described the way in which planetary systems like our own came into being." He should have said, "a way in which planetary systems like our own may perhaps have come into being." Similarly he "estimates" that there are at least 100,000 planets within the Milky Way, suitable as the abode of life, but only the alert reader will be aware that, concealed behind the apparently conservative mathematics, there is a precarious inverted pyramid of speculation after speculation, interlarded with slippery assumptions.<sup>53</sup>

Mather's criticism is pertinent and powerful. But Hoyle stands also self-condemned. For despite all his efforts to explain the formation of the universe by natural means without the help of God, he finally must make the following admission:

I find myself forced to assume that the nature of the Universe requires continuous creation—the perpetual bringing into being of new background material. . . . The most obvious question to ask about continuous creation is this: Where does the created material come from? It does not come from anywhere. Material appears—it is created. At one time the various atoms composing the material do not exist, and at a later time they do. This may seem a very strange idea, and I agree that it is, but in science it does not matter how strange an idea may seem so long as it works—that is to say, so long as the idea can be expressed in a precise form and so long as its consequences are found to be in agreement with observation. Some people have argued that continuous crea-



tion introduces a new assumption into science — and a very startling assumption at that. Now I do not agree that continuous creation is an additional assumption. It is certainly a new hypothesis, but it only replaces a hypothesis that lies concealed in the older theories which assume, as I have said before, that the whole of the matter in the universe was created in one big bang at a particular time in the remote past. On scientific grounds this big bang assumption is much the less palatable of the two. For it is an irrational process that cannot be described in scientific terms. . . . Perhaps you may think that the whole question of the creation of the universe could be avoided in some way. But this is not so. To avoid the issue of creation, it would be necessary for all the material of the universe to be infinitely old, and this cannot be for a very practical reason. For if this were so, there could be no hydrogen left in the universe. . . . Hydrogen is being steadily converted into helium throughout the universe, and this conversion is a one-way process — that is to say, hydrogen cannot be produced in any appreciable quantity through the breakdown of other elements. How comes it then that the universe consists almost entirely of hydrogen? If matter were infinitely old, this would be quite impossible. So we see that the universe being what it is, the creation issue simply cannot be dodged. And I think that of all the various possibilities that have been suggested, continuous creation is easily the most satisfactory.<sup>54</sup>

It is interesting to see what Hoyle's fellow scientists think of his theory of continuous creation. Dr. Gamow judges:

Although such a hypothesis may be quite attractive from the philosophical point of view, it encounters serious observational as well as theoretical difficulties and should be taken at present with a good-sized grain of salt.<sup>55</sup>

We agree with Dr. Gamow, but would extend this judgement to the theories of other cosmologists and also to his own.

A fuller critique of continuous creation is undertaken by Martin Johnson of Birmingham University, England. He discusses "The Meanings of Time and Space in Philosophies of Science." He shows that everyone, scientist and philosopher alike, is driven to an "aesthetic or imaginative choice among three inconceivables, the start of space, of time, or of matter." Recent cosmologists, including Hoyle have chosen the start of matter. The reason Hoyle

chooses to think of continuous, gradual creation, rather than instantaneous creation is a purely subjective one. Johnson states: "The difficulty of envisaging an instantaneous spring to a full universe makes it inevitable that some bold minds should take the initiative and propose that it will be less difficult to suppose matter as being continuously created always."<sup>56</sup>

But, as Johnson points out, this is a purely arbitrary choice, without any relation to what is known as science. Nor can the correctness of such a move be established. He states:

The continuous creation of matter may be a fact, but it is not at present susceptible of proof; and it is possible that it is essentially not provable, since no direct discriminatory evidence exists and we have shown logically that its mandate is to fill a gap.<sup>57</sup>

From this it is evident that Hoyle's theory, as those of Urey and Gamow and of earlier cosmogonists, is full of unproved and unprovable assertions. Furthermore, it is apparent that anyone who takes upon himself the task of solving the problem of the origin of the earth and the universe is inevitably driven to make certain assumptions that are no more susceptible of direct proof than is the Genesis account of creation. One should not be deceived by complicated mathematics and other badges of scientific respectability. No theory is better or stronger than its assumptions. Without good grounds for accepting the assumptions, the whole structure hangs suspended in the sky by the thread of imagination.

This idea is put very beautifully by Johnson in the article referred to above:

Having contended that science is inevitably tied to dealing with time, but is ultimately driven to aesthetic or imaginative rather than logical grounds for selecting the way to formulate time relationships, we return to the beginning of our enquiry with this hint that the physicist and the poet or moralist may in some ways be not so far apart as at first supposed. An imaginative decision is one demanding provisional settlement on grounds other than sense experience or analytical proof, and the physicist attempts to make such a settlement in all his uses of the cosmological principle. The poet and the artist make a similar decision when they accept the world as well worth the selection of memorable aspects expressible through supreme skill in pattern of word, sound, or visual art. Without such imaginative acceptance of

unprovable value, the never ending struggle to express the glory and the pity and the terror of life would fail and art and poetry would die—and science would never go beyond technology . . . . I have tried to show that the physicist is also driven to an arbitrary selection, on aesthetic grounds, of a method of treating his fundamental quantity of temporal order. None of these trespassers beyond logical proof need be ashamed so long as the trespass is honestly committed and no more claimed than is just.<sup>58</sup>

Also of interest in this connection is the approach of Karl Heim, of the University of Tuebingen, Germany, in his recent work, *Die Wandlung im naturwissenschaftlichen Weltbild*. He demonstrates how the discoveries of modern physics have severely shaken at least three of the basic tenets of materialism: the object, absolute time and space, and causality. Nature has been shown to be more complex than anyone ever dreamed. One of the leading German physicists, C. F. von Weizsäcker, has taken refuge in Kant's transcendentalism. He has stated that true reality, "das Ding an sich," lies beyond the realm of observation. It is an unknown "x" which lies beyond all methods of observation.<sup>59</sup>

From all this a Christian pastor may draw the conclusion that he may with truth tell his people that current materialistic propaganda regarding cosmological theories is just that—propaganda, unsupported by fact! The Biblical account of creation by Almighty God has not been disproved by science. It remains today, even from the viewpoint of reason, I believe, the most logical, believable account of the beginning of the earth and the rest of the universe (Ps. 19:1).

Finally, we should not conclude that the study of the universe leads inexorably to materialism. Many a scientist sees the glory of God's handiwork as it is to be seen all about us. The English scientist Dr. W. M. Smart recently wrote:

When we study the universe and appreciate its grandeur and orderliness, it seems to me that we are led to the recognition of a Creative Power and Cosmic Purpose that transcends all that our limited minds can comprehend . . . to one astronomer, at least, the heavens are telling the glory of God and the wonder of His works! <sup>60</sup>

Mankato, Minn.

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## HOMILETICS

### *Outlines on Synodical Conference Gospels*

#### NINTH SUNDAY AFTER TRINITY

JOHN 5:39-47

The ideal is always most apt to become an idol. The moral man becomes the subtle substitute for the righteous man; the sublime Jesus takes the place of the divine Son of God; and so the Holy Bible can take the place of the living God. The paradox is that we are most tempted to use the holy things of God as "gods," which keep us from a true worship of Him. In the Jews described in the text we have an example of a people who loved the Scriptures, searched them, memorized them, yet failed to see Christ through them. There looms before us the Savior, who describes

#### GOD'S LIVING VOICE IN SCRIPTURE

##### I

#### *Dangers Which Confront Us in Our Use of Scripture*

##### A. Danger of viewing Scripture as end in itself

We can view Scripture in two ways: as end in itself or as means to an end. The Jews chose the first method. The Bible claims to be a revelation, God making Himself known to man. Jews reversed the process; they saw it primarily as a revelation of man, a description of what he was to do to ascend to God. This corrupted God's original intention, for central character in Bible is not man, but God. Result was an emphasis upon Israel: her magnificent past and coming glory. Ended in debasing superstition, narrow nationalism, the miraculous merging into the ridiculous.

##### B. Danger of separating Scripture from God Himself

This use of Scripture actually separates the words of God from Him and His love (v. 42). Thus authority is lost. Becomes a matter of ideals. Force is gone, for a book cannot punish or reward, cannot give life or save. When this happens to Jews or us, we cease

to proclaim a religion of salvation. Faith becomes historic; no believing in God as such. No firm assent by which we lay hold upon Him for life.

### C. Results of these dangers

1. This cuts us off from God. We receive glory from one another (v. 44). Involves living in a one-story universe. In effect we cut off both heaven and hell. May deny this intellectually, but carry it out in fact. In this universe man becomes his own god. Master of own life. Everything is evaluated simply in terms of people apart from God. No need for God because people receive what they need from one another.

2. This results in condemnation. Accusation comes from Moses himself (v. 45). Jews looked upon him as lawgiver, giver of manna from heaven, as the savior who released them from the Egyptian bondage. Gradually he had been half deified. Rabbis taught that God counted him of as much value as all Israel. They believed the lower part of his body was human, the upper part divine. This very Moses condemned them. Moses gave manna from heaven, but here was Bread of Heaven. Moses performed outward miracles; here was One who effected an inner transformation. Very purpose of Law of Moses was to graphically portray human need for a Savior.

## II

### *Hearing God's Living Voice in Scripture*

#### A. His voice speaks in Scripture as a means to an end

"They are they which testify of Me" (v. 39). The "end" is the revelation of God. Not simply a series of propositions about God; but God Himself in action—speaking and listening, judging and saving! Scripture portrays the Gospel. See it as a drama and action centering in the Person of Christ. A lover does not reveal himself to the loved one by handing her a set of statements *about* himself. He wins trust and love by the story of his love, the drama of the past and of his present wooing. In Scripture, God is revealing what He has done and is doing to win us back to Himself.

#### B. His voice speaks to us in the present

The Jews were so preoccupied with the realization God *had* spoken to their fathers in the past that they failed to hear Him



speaking through the Lord Jesus in the present. So He is speaking to us in the present. History is of limited interest. We live our lives of anxiety and tragedy, hope and failure, in the present. Sensing our deep need, we cry for "a very present help in trouble." If the Bible is only the story of God's dealing with other people or the chronicle of our ancestors' attempt to find God, then we leave it to scholars. We desire assured truth; we want to hear God as He speaks to us now.

#### C. His voice speaks the message of Christ

God's message is that of the total Gospel. Scripture does not profess to be a textbook of doctrines or chapters in the history of religion. Nor is it just a hero story, a "log cabin to White House" story, as with Lincoln. It might appear so: born in a stable, reared in a carpenter's cottage, rising to new heights of love for His fellow men, finally dying on the Cross to demonstrate that love, beckoning us from the heights to discipleship. Rather the reverse: a "White House to log cabin" story. The great King becomes man. He descends to the depths of the Cross. This Cross becomes both the manifestation of the depth of divine love and the means by which God revitalizes our spiritual lives. It is this story of help and deliverance that He speaks to us.

#### D. His voice speaks that we may have faith and life

God's goal in this is to give us life, v. 40. This means breathing again the breath of life into our animal creation; it describes the self-communication of God. The response of His work in us: I believe *in Him*. Most Christians labor under the impression that creeds begin: "I believe *that*. . ." Note the great difference. To believe *in* you implies an act of commitment, of allegiance or trust. The first is a statement of fact; the second, of faith. The first is objective; the second affects my life. We continue then to actually use Scripture in our lives, for through it God Himself speaks His message of hope in Jesus Christ that we might have His life.

St. Louis, Mo.

DAVID S. SCHULLER

## TENTH SUNDAY AFTER TRINITY

MATT. 21:12-22

To cause a fig tree to wither from its roots was a strange way to teach a much-needed lesson. God often uses strange ways. Isaiah spoke of the divine judgment: "Jehovah . . . will be wroth . . .; that He may do His work, His strange work, and bring to pass His act, His strange act" (Is. 28:21).

No warrant for criticizing our Lord's destroying of a tree for the purpose of teaching any more than objecting to cutting a Christmas tree, or dissecting a flower for botany study.

This was a powerful object lesson. Yes, there might have been something unusual about the tree. It was leafed out too fully for the season. It was precocious, having a full crop of leaves but no fruit. Thus it provided a perfect illustration of what our Lord wanted to teach. To understand our Lord's strange act we must consider that He was in the last week of His life on earth. He was hurt to the quick by the people whom He wanted especially to help. "He came unto His own, and his own received Him not" (John 1:11). On every side He found rejection. He wept His heart out because of the nation that had become a harlot. The nation had said finally: "We will not have this man reign over us." The nation had rejected Him, and there was nothing left to do. He had to reject the nation. He had been patient long enough. He had warned people not to sign their own eternal death warrant by preferring darkness to light. Now a step further: "The kingdom of God shall be taken from you, and shall be given to a nation bringing forth the fruits thereof." It was His solemn, final, awful warning.

Every warning fell on resentful hearts. The nation's sin was black against the white of His loving and repeated warnings. The Temple had become "a den of robbers." All kinds of vice were sheltered by religion. The priesthood was corrupt to the core. The people followed the leaders. There was ritual without repentance, fervor without faith, zeal without knowledge, sacrifice without sincerity, there was a willful and vicious "worship" of God without the least interest in pleasing God. The perversion was so great that even light was darkness.

## THE LESSON OF THE WITHERED FIG TREE

## I

*Fruitlessness Must Be Destroyed*

Our Lord was not giving His disciples the secret for destroying fig trees, but the secret for so living that they should not themselves be destroyed. In His final coming to the nation the Lord found faith missing. He found leaves without fruit.

Life is God given, and always for the purpose of fruit bearing. Only a fruit-bearing life can be a God-pleasing life. There is a radical revolt against the good and gracious purpose of God when His investment in the tree of humanity produces nothing but leaves. See Psalm 80. Isaiah 5 records Jehovah's plaintive cry: "He looked that it should bring forth grapes, and it brought forth wild grapes." The highly favored nation had failed to produce the fruit which was the natural outcome of the life which God had created and sustained. "I will tell you what I will do to My vineyard: I will take away the hedge thereof, and it shall be eaten up; and break down the wall thereof, and it shall be trodden down." If fruit is not forthcoming, the instrument provided for the bearing of fruit must be destroyed. By their refusal to receive Him, by the absence of fruit, the necessity was created for the destruction of the instrument. The Lord has only wrath when we willfully tamper with a divine process. God's final purpose in sending Christ to save us is to tear us out of Satan's hands and give us power to bear fruit. "We are His workmanship, created in Christ Jesus unto good works" (Eph. 2:10; John 15:8).

## II

*Faith Is the Principle of Fruitfulness*

The Lord Himself gave the interpretation of His strange act. They wondered at His power to destroy. His answer came: "Have faith in God." He gave them the secret of making destruction unnecessary. He continued, "If ye have faith and doubt not, ye shall not only do this which is done to the fig tree, but also," etc. (v. 21). When faith perishes, then the possibility of fruitfulness passes away. If the disciples were not also to perish, this was to be their supreme search and concern: "Have faith in God." Fruit

was not found in the nation because life had departed from it; life had departed from it because faith in God had departed.

Jesus charged them to pray. Prayer is the breath of faith. The central secret of life is faith in God. As a miser seeks for gold, so we ought to seek for faith. Our lack of faith constitutes a grievous sin. When we limit God's power, make Him small and helpless in our thinking, never go to Him with important problems, strike out on an independent path, He is grieved and finally enraged.

A good question for us today: "If the Son of God were to come today, would He find us faithful in fruit-bearing, in stewardship?" Remember, no faith no fruit, no fruit no faith. Unless we are responsive to the life God has implanted within us, unless we are responsive to His Word, to His chastening, to His warning, we also shall wither from the roots.

Los Angeles, Calif.

CARL WALTER BERNER

## ELEVENTH SUNDAY AFTER TRINITY

JOHN 9:1-7

Many fears fill the minds of a young couple awaiting a baby. Human body so complex a thousand things can go wrong. Thus their prayer, "Just so it is healthy and whole!" To the wonder of birth itself add this wonder, that by God's grace the normal thing is a perfect baby!

Yet there are exceptions, as in the text. No science of men can prevent a tragedy such as this—a man born blind. Then, and in other tragedies of life (give examples from current news), we ask "Why?"—not in curiosity, but in anguish. Here lies the problem of evil. Let us find the solution in Jesus,

### THE LIGHT OF THE WORLD

#### I

#### *The Solutions Men Offer to the Problem of Evil*

A. Philosophy can reach no satisfactory answer

1. Some shrug off the question. "That's life!" "Take the rain with the sunshine." "We all have to go sometime." No comfort but to "grin and bear it."

2. Some bring God into the picture. . . .

a) "God is careless and indifferent." But God cannot err, He is perfect.

b) "God *wants* the evil. He enjoys seeing men suffer." But how can a perfect God desire imperfection?

3. Some are satisfied with natural causes. Birth injury, genes, mother had measles, etc. This again leaves God out. Yet the human body, even with such imperfection, demands the mind of a Creator.

B. The disciples come a little closer to the answer, but they also fail

1. Their question indicates they realize that evil originates in the sin of man—our mutiny against God. Greatest evil is not what happens *to* us, but the evil *in* us.

2. But they err in thinking every particularly great evil must be the punishment of some proportionately great sin.

a) This often happens. Direct punishment of criminal; sins punished in the flesh of the transgressor; poetic justice; conscience with its fear of discovery.

b) Yet the problem: "Who did sin, this man or his parents?"

## II

### *The Answer of Jesus, the Light of the World*

A. He corrects the false impression of the disciples

1. Their view of suffering, shared by the Jews generally, is spiritually dangerous.

a) Thus they would classify sins as "little" and "great." A prime encouragement to Pharisaical self-righteousness. God makes no such classification.

b) Thus they see the outward manifestation of sin only and not the total perversion and depravity of the heart. We complain of our sufferings, yet how lightly God afflicts us compared with the punishment we really deserve! A 200-pound father, who could readily kill his 30-pound child, only spans him lightly. No "hell on earth," for only in death and hell will God reveal the full fury of wrath.

2. To Jesus the blindness of this man serves a blessed purpose, "that the works of God should be made manifest in him." Through chastisement God reveals Himself. The suffering serves not His vengeance, but His love (Job 5:17; Psalm 39, especially v. 11; Heb. 12:5-11).

a) If we ask, "Why cannot God reveal Himself in blessings?" the answer is: He does so abundantly, but we pay no attention.

b) Only when God humbles our pride and takes away our strength are we ready to listen or to seek Him.

c) Yet even here faith is needed. Unbelief sees only the punishment, hates it, complains and rebels. Faith sees God, dealing with man in wonderful patience and love.

B. Jesus gives us not only the explanation, but also the victory over every evil

1. In His own Person He is the active manifestation of God's love — "I must work. . . ." "I am the Light of the world."

2. Thus He has power over blindness (text) and over every affliction which is in this world because of sin. Thus He knows and loves you; He has power to deliver you from every evil. Or He can turn even suffering into a joy and a blessing which you gladly bear for His sake, by faith. See 2 Cor. 7:4; Rom. 5:3.

3. If He can take the curse from sin's consequences, He must also have the answer to the greatest evil, sin itself.

a) Thus the greatest work which He must work for God is to suffer and die.

b) By this sacrifice He presents you faultless before the Throne of Grace.

c) When sin is forgiven, then death, the greatest evil man knows, is also destroyed forever.

4. He is the *Light of the World*. His victory over all evil is most certainly yours.

Therefore trust God in all tribulation, glorify Him by letting Him fulfill the purpose of suffering in you. The victory is yours now. It shall be yours forever.

New Orleans, La.

PAUL G. BRETSCHER

## TWELFTH SUNDAY AFTER TRINITY

JOHN 9:24-41

We live in an enlightened age. In science we have moved forward to enjoy many more of the creations of God than previous generations. In education we speak of a well-informed age. In medicine also we are now able to save lives and preserve them in this world for a longer period of time than formerly. In the comforts of everyday living we have made great progress.

The frontiers of our knowledge are constantly being advanced through the light which God gives us. Heaven also is ours through the enlightenment of the Holy Spirit. Our text today likewise leads us

## FROM DARKNESS TO LIGHT

## I

*The Physical Change in the Beggar*

## A. His first condition was blindness

He had been born blind. This was a terrible calamity, for all that he could do was to beg alms.

## B. The miracle which Jesus wrought in the man

Jesus met him, and after making soft clay, He placed it on the eyes of the man and told him to wash in the Pool of Siloam.

## C. The testimony of the man to this fact (Vv. 24-25)

He was called to give account. "Whereas I was blind, now I see" (v. 27). "I told you already" (vv. 32, 33). He testified that God had done it. (NOTE: The Lord God Omnipotent reigneth. He can also through His almighty power bring forth light in bodily ailments or the problems of the world.)

## II

*The Refusal of Spiritual Change by the Pharisees*

## A. They lived in darkness

1. They were well educated in general learning. They also had much Scripture knowledge. They had excellent religious training and were the religious leaders of the people.



2. This education (mere knowledge) did not mean that they had the light. They boasted that they were clear-sighted, but the eyes of their soul were blind.

B. They continued in darkness

1. They were well acquainted with the miracle. It was an unquestioned fact. It was proved by the man himself, by his parents, by his neighbors.

2. They knew that only God could perform such a miracle (v. 24). They conceded that this miracle, which eclipsed others, was done, but they tried to show that it was done through a sinner.

3. They deliberately remained in darkness. Unbelief tries to justify itself. None are so blind as those who will not see. There were hindrances of pride and irreligion (vv. 28, 41). They rejected the clearest evidence of Christ's divine mission on the ground of allegiance to Moses (v. 28).

C. Christ wanted them also to be saved from spiritual darkness

1. The miracle was performed also for their benefit.

2. Jesus spoke to them (vv. 39, 40).

D. But they perished in darkness

"Therefore your sin remaineth" (v. 41).

### III

#### *The Change in the Spiritual Condition of the Beggar*

A. He had been in darkness of sin, for all men are born in sin (*original sin*)

This is not a pleasing thought to the world today. There is great unbelief of this.

B. He was called by Jesus (vv. 35-37)

The miracles had served as a preparation. Miracles were done "that ye might believe."

C. He believed in Jesus (v. 38)

"Lord, I believe."

D. He gave the fruits of faith, of living in light

He confessed his faith. He worshiped Jesus.

*Conclusion.* We leave him here at the feet of Jesus, even as it is our desire to be with Jesus. We are represented in this text. Pray God that we do not refuse the gracious call of Jesus and remain in darkness, but that we accept Him, confess Him, and show our faith through our worship and works. His glorious Gospel will not leave us as it found us. Pray God that it will always open our eyes.

Buffalo, N. Y.

JOHN E. MEYER

### THIRTEENTH SUNDAY AFTER TRINITY

MARK 12:28-37

The RSV has its bitter foes and its enthusiastic advocates. While no Christian will give wholehearted approval to every word of the new revision, neither will he be blind to its merits.

We are concerned with every word of Scripture because every word is inspired by God. We condemn every mistranslation. Yet we do not wish to succumb to the error of the Sadducees and Pharisees. See Mark 12:18-23; Matt. 22:35. The great danger is that in all the controversy over the new version we forget the eternal purpose and prime message of the Bible. Our text treats one of the most important questions we can ask about the Bible: What is its central message? Its greatest commandment? Hence our theme

#### THE GREAT COMMANDMENT OF THE BIBLE — LOVE

##### I

*It Teaches Us Our Relationship of Love to God* (vv. 28-30)

All revelation centers in two poles: God and man, man and man. Essentially the leitmotiv of the Bible is love.

A. It teaches us who God is

Notice that Jesus includes this in "the first commandment of all." Before we can love and understand God, we must know Him.

1. He is One (v. 29; cp. Epistle Lesson, Gal. 3:20).
2. He is the Triune God (all Three Persons of the Trinity are in this text, vv. 29, 35, 36).
3. His attributes.

- B. It teaches us that God meets man through His Son (John 1:18; 2 Cor. 5:19)

This pericope includes vv. 35-37 for this reason.

1. One God means also one way of salvation — through Christ (Epistle Lesson; Acts 4:12).
2. Jesus is the eternal Son of God (Ps. 110:1).
3. He is also true man, David's Son, the God-Man, our Savior.
4. Through the Son, God justifies us. Why He became man. Faith.
5. Through the Son, God teaches us as in our text, gives us the Holy Spirit.
6. All this truly shows how God loves us (1 John 4:7-11; 19-21).

- C. It teaches us that through faith in Christ God is our Father and we are His children

"Our God," "Jehovah," is name used in Deut. 6:4. Baptism, Gal. 3:26, 27.

1. A new relationship to God is established. We love Him as our Father. The love of obedience.
2. Jehovah is undivided; so must our love be for Him (v. 30).
3. For Christians this is no longer a commandment, but the obedience of faith (Rom. 6:15).
4. From the viewpoint of both God and the Christian, love is the fulfilling of the Law (Rom. 13:10).
5. Because of the weakness of our flesh this commandment shows our great need of God's grace in Christ. (Paul's ἐν Χριστῷ.) Illustration: Rich Young Man (Matt. 19:16-26).

*Transition.* After Jesus had silenced the Pharisees and the scribes, "no man after that durst ask Him any questions." But Jesus welcomes questions from a clean heart. You ask, "Does this apply to me?" Yes, both God's love for you and your love to Him. But don't forget the second part of this commandment of love.

## II

*The Bible Teaches Us Our Relationship of Love to Our Fellow Men (v. 31)*

## A. It teaches us who our neighbor is

This is important for true love and fellowship.

1. The Good Samaritan (Luke 10:23-37, Gospel Lesson for the day).

2. Why our neighbor is in need of our love. The will of God. Needs in social living. (Many illustrations available.)

## B. Also the source of this love is God

1. The power of faith (1 John 5:4).

2. The Word and the Sacraments.

## C. What this means when spelled out in daily living

1. In the household of faith.

2. In the community.

3. In the home.

*Conclusion.* The legal expert who tried to trap Jesus had to admit the truth of Jesus' answer (σοφειᾶς, "wisely," "prudently"). Illustration: Recently when the American Constitution was transferred into the National Archives Building in Washington, it was guarded closely by a company of soldiers. But following the Constitution is more important than the document itself. Also living the Word is more important than mouthing it. "More important than all whole burnt offerings and sacrifices." In Christ live this central message of the Bible, and "thou art not far from the kingdom of God."

Springfield, Ill.

LORMAN M. PETERSEN

## THEOLOGICAL OBSERVER

### QUEEN ELIZABETH II, THE DEFENDER OF THE FAITH

*The Living Church*, in the issue of May 17, 1953, reports that the Church of Scotland will officially participate in the coronation of Queen Elizabeth II. This news is of more than passing interest. In the first place, this will be the first time in history that the Scottish Church took part in the traditional Westminster Abbey ceremony. In the coronation of Queen Elizabeth II the Moderator of the Church of Scotland will hand the Bible to the Queen. Immediately after she has taken the Oath upon it, she will join him in making the oral presentation of the Book, which presumably includes also the Apocryphal writings. In previous coronations the Bible was handed by the Dean of Westminster to the Archbishop of Canterbury, who in turn presented it to the monarch. In explaining this change the present Archbishop of Canterbury, Dr. Geoffrey Francis Fisher, stated:

The Oath refers to the two Churches in the United Kingdom — the Church of England and the Church of Scotland — whose position in regard to the State is established by law. These are the only two Churches whose position is thus specially recognized and to whose protection the sovereign is committed by declaration and oath.

The participation on the part of the Scottish Church in the coronation is of interest because the Scottish and the Anglican Church are different in doctrine, worship, discipline, and government. The Anglican Church is of course an Episcopal Church with a very latitudinarian doctrinal system, while the Scottish Church has a Presbyterian form of government and is commonly considered to be historically oriented in Calvinistic theology.

The Archbishop of Canterbury announced that the place of the presentation of the Bible in the coronation service would also be altered. In former coronations it followed the actual crowning, but in the coronation of Queen Elizabeth it will precede the crowning. The order of the service according to RNS will be as follows:

In the Recognition the people accept the Queen as their sovereign and acclaim her as such. The willing consent of the people is necessary.

In the Oath, the Queen binds herself to govern according to established principles of constitutional government in Church and

State, to uphold law and justice in mercy, and to maintain the laws of God and the true profession of the Gospel. This Oath of the sovereign and the declaration made in Parliament are necessary before she can be crowned.

Then the Presentation of the Bible is made to declare that the sanctity of both compacts—the people's and the Queen's—and the well-being of both rests upon the revealed truth of God contained in Holy Scripture.

Thus the (three) foundations are truly laid, and the solemn rite (of crowning) can proceed. First the witness to the Word and then the beginning of the Sacrament of Holy Communion.

F. E. M.

#### THE EXECUTIVE COMMITTEE OF THE W. C. C. REPORTS

The lengthy report of the Executive Committee of the World Council of Churches in *Ecumenical Review*, April, 1953, p. 270ff., contains many interesting items. The Executive Committee is carefully studying all the materials which have been submitted for the doctrinal discussion on eschatology at the second World Council meeting to be held in Evanston.—The committee further reports on the advances made in establishing closer relationship with the Orthodox churches. It reports that in January, 1952, the ecumenical patriarch of Constantinople had sent an encyclical letter to the patriarch and the heads of the autocephalous Orthodox churches in which he invited them to participate strongly in the work of the World Council, since he considered the co-operation of all the Christian communions as a sacred obligation and a holy duty. It appears that at the Evanston meeting the Orthodox churches will have a strong representation in the World Council meeting.—Through a grant of Mr. John D. Rockefeller, Jr., the Graduate School of Ecumenical Studies at Celigny, near Geneva, was opened and is functioning in close co-operation with the theological faculty of the University of Geneva.—During the past summer the Lund Conference, really the third World Conference on Faith and Order, devoted itself to the study of the nature of the Church, ways of worship, and intercommunion. Many attendants felt that progress for ecumenical understanding had been made, but others doubted whether a real objective contribution in the cause of Christian unity has been achieved in the Lund meeting, inasmuch as it became quite evident that at certain crucial points in the conversation concerning faith and order, it was impossible to take definite steps forward. The Executive Committee hopes that the present deadlock can be broken and that the Lund meeting will ultimately prove to

have been a tremendous step forward in achieving ecumenical thinking, especially when the churches view unity in the eschatological perspective. — The international situation seems to give the committee some of the most anxious moments. This can be readily understood in the light of the many articles in the current issue of *Ecumenical Review* dealing with social and economic problems. The leaders of the World Council seem to believe that the churches must speak to the nations of the world in the solution of their social, economic, and political problems.

F. E. M.

#### ROMAN CANON LAW AND "EXCLUSIO PROLIS"

In his opinion prepared for the Archbishopric at Cologne in a nullification process, Dr. Heinrich Flatten gives a good sample how a canonist interprets Roman canon law regarding the validity of marriage. This "legal" opinion is printed in *Die Theologische Quartalschrift*, first quarter, 1950 published by the Roman Catholic faculty of the Tuebingen University. Dr. Flatten first sets forth briefly the pertinent parts of Canon 1081: Matrimony is established when two properly constituted persons proclaim in a lawful way their nuptial will or consent to marry; such a consent is an act of the will whereby the two parties contract to exchange the exclusive and continuous right of their bodies to perform such acts as are necessary to procreate a progeny. If, so Canon 1086 prescribes, at the time of contracting marriage, this action of the will is lacking, no valid matrimony has taken place. Canon 1086 states: "If both contracting parties or even if only one of them has the positive will at the moment of consummating marriage not to enter matrimony or to exclude the full right of the natural connubial intercourse or to exclude one of its essential elements, such a marriage is invalid. The right to the natural connubial relation is so much an essential part of matrimony that he or she who withholds this right makes the establishment of matrimony impossible."

The deposition distinguishes between the will not to be obligated to fulfill the matrimonial duties and the will of not fulfilling them. The former takes place when one of the contracting parties expressly excludes the obligation of the matrimonial duty (*animus non se obligandi*); and the latter occurs when one of the contracting parties is willing to assume the obligation, but at the same time entertains the intention, contrary to his obligation, to misuse matrimony and to practice birth control (*animus non adimplendi*). The former attitude automatically makes matrimony invalid. According to canon law and common practice, the second grants the possibility of a legitimate



marriage having been established. However, the deposition points out that this distinction is being seriously challenged by Roman canonists on the basis of decisions made by Thomas Aquinas. Thomas speaks of two benefits of matrimony, the benefit of progeny and the benefit of maintaining connubial fidelity, and states that both belong to the essence of matrimony, so that if anything is done whereby the obligations of the matrimonial contract cannot be carried out, marriage has not really taken place. However, both the intent to have children and to maintain matrimonial fidelity may in the second sense of the word be spoken of as the *usus matrimonii*, and in this sense a true matrimony can exist without children and without matrimonial fidelity, because the essence of a thing is not dependent upon its use. Regardless of what Thomas really meant, the generally accepted opinion is that according to canon law a mutual contract comes into existence when both partners obligate themselves to specific functions and that this determination to obligate oneself to a certain function is indispensable for the connubial pact. The modern canonists seem to favor the view that the will to obligate oneself is essential for the validity of the marriage, but not the will also to render what one has promised. It is quite apparent that the distinction between the will to assume an obligation and the will to fulfill one's obligation plays a prominent part in Roman moral theology and casuistry.

The problem becomes more complicated inasmuch as the whole question is viewed not only logically but also psychologically. According to one canonist, the will not to fulfill the obligation at the time of the marriage ceremony makes impossible psychologically a true will to assume the obligation and thus the marriage is null and void. It is extremely difficult for a Roman canonist to decide this issue in individual cases, since he cannot establish what the contracting party actually willed at the time of marriage. According to the *Roman Rota*, nullity of matrimony is to be recognized if the refusal to have children is based on two assumptions: (1) when the refusal not to have children is intended to endure for the time of matrimony (*perpetuitas propositi*), and (2) when it is given without any qualification (*tenacitas propositi*). The *Roman Rota* has decided repeatedly that matrimony is null and void if the contracting parties prior to marriage have entered a pact to have no children. According to Roman canonists, the thesis seems to be generally recognized that the *ius matrimoniale* and the *ius utendi matrimonio* are identical. Therefore by the refusal to have children the *ius matrimoniale* itself is excluded.

According to some canonists, even the temporary practice of birth

control nullifies the matrimony. But the opinion seems to prevail that the validity of marriage is to be denied only if it can be established, first, that the exclusion of children is agreed upon for the duration of matrimony (*perpetuitas propositi*) and, second, that this agreement has been made unconditionally and to be a basic obligation (*tenacitas propositi*).

Lutheran pastors, when dealing in matters of mixed marriage between their parishioners and Roman Catholics, will find the study of canon law essential to see the sophistry which the Roman priest may employ in counseling his parishioner. The Romanist has so many rules and interpretations that the Lutheran is amazed and bewildered at the devious ways which the Roman priest may employ to counsel his member when serious problems arise in mixed marriages.

F. E. M.

#### BRIEF ITEMS FROM "RELIGIOUS NEWS SERVICE"

The American Bible Society reported that ten new languages have been added to the list of those into which the Bible has been translated during 1952. The whole Bible is published in 197 languages, a complete Testament in 257 languages, at least a Gospel or other whole book in 605 languages, and some part of the Bible in 1,059 languages and dialects.

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Pope Pius XII, speaking to an Easter throng in St. Peter's Square in Rome (estimated at 350,000 to half a million), warned that the greatest danger facing the "sick and enfeebled" world today was "the weariness that afflicts the good" and urged the faithful not to relax their efforts, but to "continue perseveringly to be vigilant in the faith and united in concord" and to keep striving "to win peace for fearful humanity." He stressed the need for unceasing vigilance. "We know that the result of prolonged continuation of the same struggles and repetition of the same trials may overcome you with discouragement. We would wish that the voice of the Easter bells should bring to you, together with joy, peace, and fraternal love, also this great warning. The danger of today is the weariness that afflicts the good. Shake off torpidity in all its forms. . . . Do not merely rest content on the laurels of the past; do not stop to contemplate the furrow once plowed, but, consolidating upon what has been happily acquired, strive always for new conquests."

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We would agree more heartily with the head of the Roman Church if it were not for news items like the following, appearing at the same time: Last July a group of American Protestant businessmen in Naples,

Italy, organized a Christian Club as a recreation center for American servicemen. In January the club was closed down by the Naples police on the grounds that "religious services" were being held there. The club's staff was notified to leave Italy upon expiration of their residence permits. The assistant director of the club, Charles George of Birmingham, Ala., was served with a 24-hour expulsion notice. United States consular and embassy officials intervened in his behalf; Vice-Admiral James Fife, deputy NATO commander in the Mediterranean area, asked the Italian Interior Ministry to allow the center to remain in operation because of the "important work" it was doing. It was understood that high government officials were becoming disposed toward renewing Mr. George's residence permit after being assured that while the club provides servicemen with spiritual assistance, it does not engage in proselyting. . . . As a result the residence permits of the three directors of the club were renewed for six months.

Membership in the Church of Jesus Christ of Latter-Day Saints (Mormons) totaled 1,189,053 at the end of 1952, an increase of 41,896 over the previous year. This was the report given to the 123d annual general conference in Salt Lake City, Utah. They maintain 9,035 missionaries; spent \$46,526,179, \$6,000,000 more than last year; and receipts in 1952 were in excess of expenditures.

In Rome the Sacred Congregation of Rites has issued a decree sanctioning baptismal rites in Italy in the vernacular. Published in *Acta Apostolicae Sedis*, official Vatican organ, the decree stated that in the future Baptisms in Italy could be performed in the Italian language instead of in Latin. However, the concession was approved by Pope Pius XII only on condition that the Latin text appears with the Italian version in editions of the Roman ritual. A similar concession previously had been extended to the Church in France. Church sources in Rome said the decree resulted from the need for godparents to be aware of every detail and obligation laid down in the baptismal ceremonies.

An Evangelical clergyman, Pastor Karl August Brandt of Lohmen, Saxony, was sentenced to a six-year prison term at Guestrow, Mecklenburg, by an East German court. The court found the pastor guilty of "agitating against, and supporting the enemies of, the (East) German Democratic Republic." He was specifically castigated by the court for preaching that man's first loyalty is not to the State, but to God;

he had told his congregation from the pulpit to "obey God rather than men." The court also ordered the minister's property confiscated. He has a family of seven children. . . . Pastor Brandt is the third Evangelical clergyman sentenced this year by Communist courts in East Germany. On March 22 Pastor Werner Gestrich received a 12-year sentence from a Soviet Zone tribunal at Frankfort on the Oder. Early in February Pastor Erich Schumann of the Lutheran Church of Saxony was sentenced to six years for "agitation" against the Communist regime. Several other Protestant clergymen are known to be under arrest by Communist secret police in the Soviet Zone, while a number of others, reported "missing," are believed by church authorities to be in police custody.

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The Baptist Joint Committee on Public Affairs, meeting in Washington, D.C., quoted from a report of the Vatican's demands on the Yugoslav government. Their reaction was: If the Vatican urged Spain and Italy to apply the same standards of religious liberty to Protestants which it has asked Yugoslavia to maintain for Roman Catholics, a long step would be taken toward religious liberty everywhere. "Here the Vatican is right. American Protestants will agree."

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From Jerusalem comes the announcement, by G. Lancaster Harding, Jordan's Director of Antiquities, that the remains of some 70 Biblical scrolls, believed to be 2,000 or more years old, have been found in a cave on the shore of the Dead Sea, about 25 miles east of Jerusalem. Thirty-eight of the scrolls had been identified by Dominican scholars as manuscripts of 19 books of the Old Testament: Genesis, Exodus, Leviticus, Numbers, Deuteronomy, Joshua, Ruth, Samuel, Kings, Psalms, Ecclesiastes, Song of Songs, Jeremiah, Isaiah, Lamentations, Ezekiel, Daniel, Lesser Prophets, and of Tobit. The rest are described by the priests as commentaries and paraphrases of Biblical books, many known and hitherto unknown Apocrypha and descriptions of the conduct and organization of the Essenes, a sect of pre-Christian Jews. The cave in which the scrolls were found was almost certainly the home of the Essenes some 1,900 years ago, and it is assumed that the scrolls are from their library, probably hidden for safekeeping in these caves near the ruins of a settlement now known as Khirbet Qumran. The manuscripts are written on papyrus and leather in Hebrew, Aramaic, and Greek, some of the Hebrew and Aramaic documents in a script closely related to the ancient Phoenician. The Book of Tobit appears for the first time in Hebrew and Aramaic; only Greek translations had

been known until now. . . . Mr. Harding called this find "perhaps the most sensational archaeological event of our time" and predicted that Biblical scholars from all over the world would be kept busy "for the next generation, at least," pondering the translation and significance of the documents. . . . Recent archaeological activity in that area was prompted when a Bedouin in 1947 discovered several scrolls in a cave about half a mile from the site of the new find, among them the Book of Habakkuk and the oldest known copy of the Book of Isaiah. . . . After the Israeli-Arab war the Jordan Department of Antiquities, the French Biblical and Archaeological School, the Palestine Archaeological Museum, and later the American School of Oriental Research joined in expeditions in the area. Their most important find was two rolled-up sheets of bronze on which a long text in either Hebrew or Aramaic had been hammered. Experiments are still being made to determine whether it will be possible to unroll these scrolls, the metal of which has oxidized completely, or whether it will be necessary to cut them into strips to read the text. . . . Meanwhile the Bedouin tribe of shepherds had realized the value of old manuscripts and systematically began searching their remote district for more caves. When the Arabs found the 70 scrolls, Biblical scholars and archaeologists were faced with the job of raising enough cash to prevent the Bedouins from smuggling the manuscripts out of the country or selling them on the black market, which is indeed strictly prohibited in Jordan, but is nevertheless flourishing. The Jordan government appropriated "the necessary sum"—Mr. Harding did not disclose the amount—and about 80 per cent of the scrolls found in the cave had thus been obtained by his department. . . . The manuscripts will eventually be displayed at the Jordan Archaeological Museum in Amman, but the fragments must first be cleaned, flattened, and mounted. They will be photographed on infrared plates to reveal the writing on pieces which, to the naked eye, are completely black.

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Two government officials of India, Home Minister Kailash Nath Katju and Deputy Home Minister B. N. Datar, told the Upper House of Parliament at Delhi, India, that India will insist that foreign missionaries comply with the country's policy of limiting evangelical work to natives. He said that the 65 Roman Catholic and 50 Protestant missionary societies working in India should carry on educational, medical, philanthropic, rural, and social "uplift" work and not take part in politics; everyone in India was free to propagate his religion, but the government did not want people from other countries to come

to India to do such work. "If missionaries come here for evangelical work, the sooner they stop it, the better." All missionaries seeking entry into India knew the limitations imposed upon them and agreed to them. "If any missionary breaks his agreement, he acts in a very reprehensible manner and that has been made quite clear to missionaries working here." . . . A similar view on the work of foreign missionaries in India was previously expressed by Prime Minister Jawaharal Nehru at the conclusion of a tour among tribes that were recently head-hunters in the border region of India and Burma. Political necessity, he said, suggests that foreign evangelical missions in India should be staffed by Indian workers instead of outsiders. This was particularly urgent in primitive border areas, where the integration of tribes into the India body politic is a serious problem. Christian missionaries of Indian blood would be better equipped than foreigners to impart a sense of Indian nationhood to these highly individualistic tribes as they propagate their faith. "In purely evangelical work, if an Indian does it, it is not antinational; but a foreign missionary does not present a national viewpoint." The report concludes: While no restrictions have been placed on the admission of evangelistic missionaries to India, the government's attitude is that no missionary from a foreign country should be admitted unless it has been established that there is no suitable Indian to perform the work. Both Protestant and Roman Catholic groups have been sympathetic to this view and have been "Indianizing" their church activity.

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Bishop Bo Giertz, of the diocese of Gothenburg in Sweden, here to speak at the annual convention of the Minnesota Conference of the Augustana Lutheran Church and other meetings, said that the Swedes who come to America are better church members than their brothers and sisters who remain in the old country. He thought he had discovered part of the explanation here. "Apparently," he said, "the Free Church system gives the American layman greater interest and responsibility in his church." The State Church system, on the other hand, he pointed out, is more likely to make the laymen believe everything is going on pretty well without his help and contributions. He had found that church life here is much stronger than in Sweden.

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The Roman Catholic hierarchy has scored a victory in the Philippine Islands. The bishops had accused three educational officials of having "obstructed" optional religious classes during school hours;

they could be given only before or after school hours at times described by the bishops as "unholy hours." Now President Elpidio Quirino has issued an administrative order permitting such classes in the Philippine schools to be held before, during, and after school hours; and the Public Schools Director, one of the three officials accused, has pledged speedy enforcement of the new presidential order. . . . Meanwhile, the charges against the three officials continued; a 31-page memorandum was submitted to the justice appointed by the president, urging that the education officials be found guilty on the grounds that they had served on a Masonic committee for the elimination of religious instruction from the schools, that they are Masons, and that they violated their oath of office.

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A bill to exempt from the Federal amusement tax billiard tables and bowling alleys operated by religious and charitable organizations has been introduced in the House by a Republican Representative from Iowa, Henry O. Talle. At present a Federal tax of \$20 a table or alley must be paid each year. \* \* \*

A church-wide scholarship plan has been launched among the 2,700 congregations of the Evangelical Lutheran Church; it is known as the Lutheran Education Aid Fund (LEAF). Under the program the congregations of the ELC will be urged to establish a LEAF committee to be responsible for making awards and counseling prospective college students. Other committees will be established on the circuit and national levels. The LEAF will be administered by the office of Christian Higher Education of the ELC, Dr. Orville Dahl, Minneapolis, executive director. . . . The value of each scholarship depends on the decision of the congregation; the maximum amount is \$400. In order to be eligible for a LEAF award, the student must be a high school graduate with an acceptable personal and scholarship record, a confirmed member of the ELC, and must have demonstrated an active interest in the work of the Church. The award may be made to a student already enrolled at one of the ELC colleges, or to one who has the capacity but lacks funds to begin, or to a student enrolled at another institution who wishes to transfer to an ELC college. The scholarship winner will be permitted to choose which of the junior or senior colleges or academies of the ELC he wishes to attend. . . . In addition to the LEAF scholarship, there will be a LEAF loan fund administered by the same committee, from which needy and deserving students may obtain a loan to complete their education. As a further



aid to the student the ELC colleges have created a financial reserve known as a conditional loan fund. For each four dollars the student is given in scholarship money, the college will place one dollar in a reserve fund to lend to the student during his remaining years at college. Thus a student receiving a \$400 LEAF scholarship will have \$100 made available to him through the conditional loan fund the following year.

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Students at Washington Missionary College at Tacoma Park, Md., bought half an elephant. They voted \$400 toward an \$800 fund to provide an elephant for a Seventh-Day Adventist mission in Southern Burma. In the jungle areas of Southern Asia an elephant is more valuable than a horse or a jeep. An elephant can negotiate thick growths that bar other travel, and it can carry loads of supplies. And around mission stations it is an animal of all work.

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In a plea to support their religious institutions Dr. Maurice N. Eisenbraht, president of the Union of American Hebrew Congregations, said: "There is not too much qualitative distinction between a synagogue sacked by the Soviets and our own temples decimated by neglect"—a word which others might apply to their own situation.

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A new method of fighting the Church.—From Berlin comes the report that services in two Evangelical churches at Quedlinburg, near Magdeburg, were disrupted by members of the Communist *Freie Deutsche Jugend* (Free German Youth). In both cases members of the youth groups entered the church singly, mingling with the worshippers. Then, after the services got under way, they began climbing upon and over pews, whistling, stamping, and shouting. One pastor was able to quash the disturbance, but at the other church the rioters could not be quieted, and the service had to be broken off.

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Speaking to the National Council of Catholic Men at the annual meeting in St. Louis, Mo., the director of television for the Council, Dean McCarthy of Washington, D. C., told the delegates that TV has "a tremendous potential for good or evil. Television might be likened to the little girl with the curl in the middle of her forehead: 'When she was good, she was very, very good; but when she was bad, she was horrid!'" He urged that Catholic men should demand "that the programs which we see in our homes be regulated by commonly accepted standards of morality and decency."

THEO. HOYER

## BOOK REVIEW

*All books reviewed in this periodical may be procured from or through Concordia Publishing House, 3558 South Jefferson Avenue, St. Louis 18, Missouri*

SYSTEMATIC THEOLOGY, Vol. I, by Paul Tillich, University of Chicago Press. XI and 300 pages, 6×9. \$5.00.

THE THEOLOGY OF PAUL TILLICH, Vol. I., edited by Charles W. Kegley and Robert W. Bretall, Macmillan Company, XIV and 370 pages. \$5.50.

The titles indicate that these two books can most profitably be reviewed together. Paul Tillich's first volume of his *Systematic Theology* has caused a considerable stir in certain sections of the theological world (cp. the weekly magazine, *Time*, October 20, 1952). Some reviews speak in most glowing terms of Tillich's attempt to present a systematic theology. Brunner, one reviewer states, has given the Church a reformulation in modern terms of the classical tradition of Reformed Theology; Barth has undertaken the monumental task of writing a *kirchliche Dogmatik* which includes and evaluates all data of Christian experience; but Tillich has undertaken the most difficult task: to write a systematic theology which by design is at the same time an apologetics, since his theology shows that the Christian message actually answers the questions which modern man asks about his existence, salvation, and destiny. George F. Thomas in Ch. IV of the second book listed above states that as Barth is the greatest living representative of kerygmatic theology, Tillich is probably the outstanding representative of apologetic theology at the present time.

Tillich, until recently professor at Union Theological Seminary, is now in retirement (at Union he will be succeeded by Wilhelm Pauck of the Federated Theological Faculty of the University of Chicago, where Pauck in turn will be succeeded by Jaroslav J. Pelikan). Tillich started his teaching career in 1919 as *Privatdozent* at the University of Berlin, spent three semesters as theological professor at Marburg, a short time at Dresden and Leipzig, and in 1929 joined the philosophical faculty at the University of Frankfurt am Main (this university has no theological faculty). To escape Nazism he came to America in 1933, and through the efforts of Reinhold Niebuhr became professor at Union.—This sketch indicates that Tillich's interests are more philosophical than theological as the terms are used in orthodox circles.

Tillich attempts to maintain a proper relation between theology and philosophy by explaining the Christian message as an answer which emerges from each succeeding culture. The modern man seeks an answer to the question which the threatening destruction in our society and the apparent

uselessness of life constrain him to ask. Tillich holds that the Gospel of "reconciliation" proclaims the true existence, the only reality, in pointing to Jesus as the Revelation of the new being and as the Conqueror of the threat to human life. Probably the most important phase in Tillich's "Systematic Theology" is his method. He has broken with Barth's pseudo-dialectical method and has developed his method of "correlation," discussed by him in his Introduction, especially pp. 34—66; cp. George F. Thomas, "The Method and Structure of Tillich's Theology," Ch. IV, in the second volume under review. The basic premise is that "man cannot receive answers to questions which he has never asked" and that man "has asked in his very existence questions which Christianity answers." Thus Tillich presents each topic with a philosophic analysis of a given aspect in man's existence and ends by giving the "Christian" answer to the question. Using this method Tillich offers five chief correlations: (1) reason and revelation, as the answer to the question where the source of religious truth lies; (2) being and God, where the Christian answer to man's question about his own essential being is God Himself as the Ground of being; (3) existence and Christ, the answer to man's query concerning his "ultimate concern"; (4) life and the Spirit, the true nature of life; (5) history and the Kingdom of God, the answer to the question: "What is the nature and goal of history?" The first volume deals only with the first two correlations. — A sample may indicate the essence of his method. The modern philosopher asks: What are the sources of religious knowledge? The modern theologian must answer: The Bible is not the only source, because there is a universal revelation; but it is the basic source because it is "the original document on which the Christian Church is founded." In addition to the Bible, church history, history of dogma, and the history of religion and culture are the sources of systematic theology and of the Christian answer to the modern inquirer. Religious experience is said to be the medium through which the sources come to us; and the need of man in each culture is viewed as the norm of the source. Today the norm of theology is the Christian answer to the apparent uselessness of our existence, that "the New Being in Jesus as the Christ is our ultimate concern" (p. 50).

This reviewer does not propose to cope on a philosophical basis with Tillich's method and with the resultant findings in the various areas of Systematic Theology. But as theologians we ask: Where is the place for faith in Tillich's system? What is faith? Where is the dynamic for faith? What does Tillich mean by "ultimate concern"? What does Tillich "think of Christ"? Is He both human and divine? How will his method of correlation answer the question of Christ's person and his theanthropic work? It is essential to await the publication of the second volume before one passes a conclusive opinion on Tillich's "theology."

The publication of an evaluation of Tillich's "theology" before he has issued the second and the more significant volume of his Systematic

Theology is disturbing. Is there a determined effort on the part of "Liberal Theology" to make a last stand? — The second book listed above is the first volume in a projected series: "The Library of Living Theology." This volume contains (1) an autobiographical sketch; (2) fourteen interpretative essays by such men as Reinhold Niebuhr, Elmer T. Greene, Walter Horton, John Randall, Jr., Charles Hartshorne; (3) Tillich's reply to the criticisms directed against him. If this reviewer had the choice of purchasing either one or the other of the two books, he would reach for the interpretative volume, because it is very helpful to understand Tillich's philosophy of religion.

F. E. MAYER

**PATROLOGY.** By Johannes Quasten Vol. 1, *The Beginnings of Patristic Literature*. The Newman Press, Westminster, Ind., 1952. XVIII and 349 pages, 6×9. \$5.00.

A volume of this sort has been needed for a long time. The histories of ancient Christian literature by Adolf Harnack and Gustav Krueger have been out of print for decades, and the several French works on the subject do not pay enough attention to English and American studies in the field. Professor Quasten, who teaches ancient church history at the Catholic University of America in Washington, D.C., presents herewith the first volume of a projected several-volume work that will cover the development of Christian literature in the ancient Church.

Students of the field who are accustomed to historians like Harnack, Krueger, Lietzmann, and Loofs will miss some of the critical note that dominated their treatments of the same men and movements. On the other hand, they will find frequent references to problems like the relation of this or that Father to the "deposit of faith." The question of the canonicity of Hermas in sections of the ancient Church is not quite so simple as Quasten makes it (p. 103); the occasional references to chiliasm (as, e.g., in connection with Justin, p. 219) do not take account of the diffusion of chiliast ideas in the early Church; and it would seem from the researches of Hilgenfeld, Harnack, and John Knox that Marcion's canon was not merely a perversion of an already existing collection (pp. 270, 271), though the view of these scholars that Marcion was the first to create a canon is equally difficult to substantiate.

But these occasional misgivings that a non-Roman student of Christian beginnings would have to express about this book do not detract from its value. Many of the data that it presents on the biographical and literary background of early Christian documents appear in standard handbooks on church history, but Quasten has collected bibliographical material, with a special accent on studies and editions in English, that would otherwise be hard to assemble. These studies and editions are not only Roman Catholic; indeed, there are more references to Adolf Harnack than there are to any other modern scholar!

During the generation since Harnack, Lutherans have been remiss in

the attention they owed to patristic study, and today Anglican and Roman Catholic scholars dominate the field. This volume illustrates that fact, but it may also provide a handbook for Lutheran scholars who want to orient themselves in this crucial area.

JAROSLAV PELIKAN

REFORMATION WRITINGS OF MARTIN LUTHER. Translated by Bertram Lee Woolf. Vol. I, *The Basis of the Protestant Reformation*. London, Lutterworth Press, 1952. 402 pages, 8½×5½. \$6.00.

LUTHER SPEAKS. Essays for the fourth centenary of Martin Luther's death written by a group of Lutheran ministers from North and Central Europe at present in Great Britain. London, Lutterworth Press, n.d. (first published 1947). 192 pages, 7½×5. \$1.25.

The publication of *Let God Be God* by an English Methodist, Philip Watson, came as a surprise to many readers, especially to American Lutherans and American Methodists. It showed an awareness of Luther outside Lutheranism that has not always been matched inside Lutheranism. That surprise has come repeatedly in recent years through books like Kerr's *Compend of Luther's Theology*, Pauck's *Heritage of the Reformation*, and Bainton's *Here I Stand*, none of them by a member of the Lutheran Church.

In the two volumes at hand we see further evidence of interest in Luther among British Christians. The little book called *Luther Speaks* is a symposium of some sixteen separate items. Several of them present excerpts from Luther himself, others discuss the impact of Luther and the Reformation upon history, still others seek to assess Luther's significance for contemporary theological debate. Of necessity none of these essays could be very long or very thorough. For this reviewer the most illuminating was Wolfgang Buering's discussion of "Luther as Teacher" (pp. 68—88). A number of the items in this volume would be well suited for reference reading in a survey of Lutheranism, for they are not above the comprehension of the average lay reader.

The larger of these two books is the first volume of a proposed several-volume translation of Luther into English; from this volume it is not clear just how many more are contemplated. It offers new translations, with appropriate introductions and notes, of the following: *The Ninety-Five Theses*, pp. 23—65; *The Short Exposition* (1520), pp. 69—99; *An den christlichen Adel* (entitled "An Appeal to the Ruling Class of German Nationality as to the Amelioration of the State of Christendom"), pp. 103—200; *De captivitate Babylonica* (translated as "The Pagan Servitude of the Church: A First Inquiry"), pp. 203—329; *An Open Letter to Pope Leo X* (1520), pp. 333—347; and *The Freedom of the Christian*, pp. 351—379.

Coming as it does from a British scholar, rather than from an American of German extraction, the translation manifests a stylistic freshness that one expects of British theological works. Some of the renderings are especially apt: "A Christian is free and independent in every respect,

a bondservant to none. A Christian is a dutiful servant in every respect, owing a duty to everyone" (p. 357). Or the term *panis* is translated not with "bread," but with "Lord's Supper," for this is exactly what it means (p. 215). While the author treats the Holman edition a little roughly (p. 6) and condescendingly (p. 46), much of his work is something of an improvement on the translations there. Significantly, the German writings generally produce a more idiomatic English rendition than do the Latin texts.

The introductions and notes are quite satisfactory though there are occasional lapses. The Weimar edition is not quite as "definitive" as the editor insists on making it (title page; p. 5; p. 46; p. 70; p. 207). St. Thomas Aquinas did not use a Latin translation of an Arabic translation of Aristotle (as suggested, p. 185, n. 2), but a Latin translation of the original Greek, prepared for him by his friend William of Moerbeke. It is inaccurate to say that "in the Roman communion the wine has been withheld from the laity since the sixth century, but not earlier" (p. 181, n. 1); *communio sub una specie* was long regarded as Manichean heresy. It did not become universal until the high Middle Ages (and then at lay insistence), and in the fifteenth century the Council of Basel granted the chalice to the Czechs. With the many notes on more obvious allusions, Luther's use of the term "moderns" (p. 261) should have been explained as referring to the *via moderna* of William of Occam. There are several typographical errors (e.g., "thesis" for "theses," p. 31).

But Woolf's translation is in many ways the most satisfactory available today. It is a pity that some central clearinghouse could not have coordinated the various Luther-translation projects now under way; but if the Latin Church could not accomplish this and came up with competing translations of the Fathers, we certainly could not hope to do any better.

If the remaining volumes of the series keep up this high standard, Woolf's translation should prove very useful to Lutherans and others who need an English Luther.

JAROSLAV PELIKAN

THE GOSPEL ACCORDING TO ISAIAH. Seven Sermons on Isaiah 53. By John Calvin. Translated by Leroy Nixon. Grand Rapids, Wm. B. Eerdmans Publishing Company, 1953. 133 pages, 8½ × 5½. \$2.00.

Thanks to the efforts of conservative Reformed publication houses in the United States, the English-reading public will soon have access to almost all the writings and sermons of John Calvin. The present slender volume consists of sermons on the Passion history that Calvin preached in 1558. As was to be expected, Calvin finds all the details of Isaiah 53 literally fulfilled in that history, and in these sermons he treats the material of the chapter with the painstaking, albeit somewhat stilted, homiletical techniques that Erwin Muehlhaupt analyzed in his *Die Predigt Calvins* (Berlin and Leipzig, 1931).

JAROSLAV PELIKAN

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